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TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10326

INSPECTION OF INCOME, EXCESS-PROFITS, DECLARED VALUE EXCESS-PROFITS, CAPITAL STOCK, ESTATE, AND GIFT TAX RETURNS BY THE SENATE COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

By virtue of the authority vested in me by sections 55 (a), 508, 603, 729 (a), and 1204 of the Internal Revenue Code (53 Stat. 29, 111, 171; 54 Stat. 989, 1008; 55 Stat. 722; 26 U. S. C. 55 (a), 508, 603, 729 (a), and 1204), it is hereby ordered that any income, excess-profits, declared value excess-profits, capital stock, estate, or gift tax return for the years 1945 to 1950, inclusive, shall, during the second session of the Eighty-second Congress, be open to inspection by the Senate Committee on Expenditures in the Executive Departments or the duly authorized subcommittee thereof in connection with its studies of the operation of Government activities at all levels with a view to determining its economy and efficiency, subject to the conditions stated in the Treasury decision[1] relating to the inspection of such returns by that Committee, approved by me this date.

This Executive order shall be effective upon its filing for publication in the FEDERAL REGISTER.

HARRY S. TRUMAN

THE WHITE HOUSE,
February 11, 1952.

[F. R. Doc. 52-1825; Filed, Feb. 11, 1952; 2:39 p. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter F—Miscellaneous Regulations

PART 381—DISASTER LOAN PROGRAM

MISCELLANEOUS AMENDMENTS

1. Paragraph (a) of § 381.5 (16 F. R. 3970, 9279), is amended to add a new subparagraph (10) for the purpose of authorizing disaster loans to purchase, under certain conditions, farm building and headquarters sites in flood areas. As added, § 381.5 (a) (10) reads as follows:

§ 381.5 *Loan purposes.* (a) * * *

(10) To purchase farm building and headquarters sites above the danger of high water when, because of flood damage to the applicant's farm buildings, it is necessary to move existing buildings to, or construct new buildings on, land above high water.

(i) The building or headquarters sites to be purchased will be limited to the minimum acreage needed for the homestead, barns, sheds, and other farm buildings or structures, together with necessary garden plots, lots, stock tanks or ponds, and pasture for subsistence animals or emergency use. In no event, however, may the acreage purchased constitute an economic farm unit or enable the applicant to expand substantially the size of his farming operations. The site to be purchased will be so located as to be readily accessible to the applicant's present farm, and to permit the other land owned by the applicant to be operated as one unit with the site purchased.

2. Section 381.7 (16 F. R. 3970, 9279), is amended to add a new paragraph (h) containing security requirements for disaster loans for the purchase of farm building and headquarters sites in flood areas. The new paragraph (h) reads as follows:

§ 381.7 *Security requirements.* * * *

(h) Security for advances to purchase building or headquarters sites along with any other amounts advanced for construction, land development or restoration, and other real estate purposes will consist of a first lien on the site purchased, and the best lien obtainable on other farm land owned by the applicant. The real estate offered as security in such cases will have security value equal to or greater than the amount advanced or to be advanced for the acquisition of the new site plus the cost of construction and land development. The security value will be determined by considering

(Continued on p. 1383)

[1] See Title 26, Chapter I, Part 458, *infra*.

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THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

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CODIFICATION GUIDE

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CODIFICATION GUIDE—Con.

the fair market value of all land offered as security less the amount of prior liens, if any, encumbering land other than that purchased. The fair market value of the land to be purchased and the other farm land offered as security will be determined by the County Committee, based on a technical appraisal. In determining the fair market value, consideration should be given to the use that will be made of the site purchased in rounding out and supplying a safe headquarters or farmstead for the applicant's operations.

(1) When buildings will be moved intact from a bottom land farm to such a building site, and the holder of liens or mortgages on the bottom land farm will not permit the removal of buildings therefrom except upon payment, an exception may be made to the policy stated above to permit the holder(s) of the mortgage(s) on the bottom land to take as additional security a lien on the building site superior to the lien to be taken by the Farmers Home Administration, provided the fair market value of all land offered as security less the total amount of prior liens will exceed the amount to be advanced for real estate purposes by a reasonably safe margin.

(2) When disaster loans are made to purchase farm building and headquarters sites pursuant to § 381.5 (a) (10) the title evidence requirements prescribed in paragraph (f) of this section are applicable.

(R. S. 161; 5 U. S. C. 22. Interprets or applies sec. 2, 63 Stat. 44; 12 U. S. C. 1148a-2)

DERIVATION: The amendments to §§ 381.5 and 381.7 contained in Order, Administrator dated January 30, 1952.

[SEAL] DILLARD B. LASSETER,
Administrator,
Farmers Home Administration.

JANUARY 30, 1952.

Approved: February 7, 1952.

CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 52-1755; Filed, Feb. 12, 1952; 8:46 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Amdt. 3]

PART 920—HANDLING OF IRISH POTATOES GROWN IN MASSACHUSETTS, RHODE ISLAND, CONNECTICUT, NEW HAMPSHIRE, AND VERMONT

LIMITATION OF SHIPMENTS

Findings. 1. Pursuant to Order No. 20 (7 CFR Part 920) regulating the handling of Irish potatoes grown in the States of Massachusetts, Rhode Island, Connecticut, New Hampshire, and Vermont, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.), and upon the basis of the recommendations and information submitted by the New England Potato Committee, established pursuant to said order, and upon other available information, it is hereby found that the amended limitation of shipments, as hereinafter provided, will tend to effectuate the declared policy of the act.

2. It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice and engage in public rule making procedure (5 U. S. C. 1001 et seq.) in that the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of Irish potatoes grown in the area regulated by Order No. 20.

Order, as amended. The provisions of subparagraphs (1) and (2) of paragraph (b) of § 920.302 (16 F. R. 7199, 9632; 17 F. R. 111) are hereby amended to read as follows:

(b) *Order.* (1) During the period from February 11, 1952, to May 31, 1952, both dates inclusive, no handler shall ship potatoes grown in the counties of Berkshire, Franklin, Hampden, and Hampshire, in Massachusetts, and Hartford and Tolland in Connecticut, which do not meet the following grade and size requirements: (i) Potatoes which are unclassified as to grade, but which are 75 percent U. S. No. 2 quality, or better, do not contain more than 1 percent soft rot or decay, and are 2 inches minimum, or larger, diameter; or (ii) U. S. No. 1 grade, 1½ to 2¼ inches diameter with usual tolerances for size as provided in the U. S. Standards for Potatoes (7 CFR 51.366).

(2) During the period from February 11, 1952, to May 31, 1952, both dates inclusive, handlers may ship potatoes grown in the aforesaid counties which comply with the aforesaid grade and size regulations and which have been certified, as a lot, in storage: *Provided,* That the quantity of potatoes in such lot shall not exceed 1,000 hundredweight, and shall be shipped within 6 days of the date specified on the inspection certificate therefor: *And provided further,* That this exception for lot inspection in storage shall not apply to potatoes of U. S. No. 2 grade, or to potatoes which are unclassified as to grade, which shall be inspected only at time of shipment by common carrier or other means of transportation.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 8th day of February 1952, to become effective on February 11, 1952.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 52-1780; Filed, Feb. 12, 1952; 8:50 a. m.]

[Amdt. 2]

PART 959—IRISH POTATOES GROWN IN THE COUNTIES OF CROOK, DESCHUTES, JEFFERSON, KLAMATH, AND LAKE IN OREGON, AND MODOC AND SISKIYOU IN CALIFORNIA

LIMITATION OF SHIPMENTS

Findings. 1. Pursuant to Marketing Agreement No. 114 and Order No. 59, as amended (7 CFR Part 959), regulating the handling of Irish potatoes grown in the counties of Crook, Deschutes, Jefferson, Klamath, and Lake in the State of Oregon, and Modoc and Siskiyou in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Oregon-California Potato Committee, established under said marketing agreement and amended order, and other available information, it is hereby found that such limitation of shipments as hereinafter provided will tend to effectuate the declared policy of the act.

2. It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until thirty days after publication hereof in the FEDERAL REGISTER (5 U. S. C. 1001 et seq.) in that (i) shipments of the 1951 crop of Irish potatoes grown in the production area will have begun, (ii) more orderly marketing in the public interest

than would otherwise prevail will be promoted by limiting the shipment of potatoes, in the manner set forth below, on and after the effective date hereinafter provided, (iii) compliance with this section will not require any preparation on the part of handlers which cannot be completed by such effective date, (iv) a reasonable time is permitted, under the circumstances, for such preparation, (v) information regarding the committee's recommendation has been made available to producers and handlers in the production area, and (vi) this amendment relieves restrictions on Irish potatoes grown in the aforesaid production area.

Order, as amended. The provisions of subparagraphs (1) and (5) of § 959.307 (b), 16 F. R. 6234) are hereby amended to read as follows:

(b) *Order.* (1) (i) During the period from February 11, 1952, to March 31, 1952, both dates inclusive, no handler shall ship potatoes grown in the production area which do not meet the requirements of U. S. No. 2, or better, grade, and which are of sizes smaller than 1⅞ inches minimum diameter, and

(ii) During the period from April 1, 1952, to June 30, 1952, both dates inclusive, no handler shall ship potatoes grown in the production area which do not meet the requirements of U. S. No. 2, or better, grade, and which are of sizes smaller than 1½ inches minimum diameter.

* * * * *

(5) The terms used in this section shall have the same meaning as when used in Order No. 59 (7 CFR Part 959), and the aforementioned grades and sizes shall have the same meanings assigned these terms in the U. S. Standards for Potatoes (7 CFR 51.366), including the tolerances set forth therein.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 8th day of February 1952, to become effective on February 11, 1952.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 52-1779; Filed, Feb 12, 1952; 8:50 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter E—Administrative Provisions Common to Various Taxes

[T. D. 5882]

PART 458—INSPECTION OF RETURNS

INSPECTION OF INCOME, EXCESS-PROFITS, DECLARED VALUE EXCESS-PROFITS, CAPITAL STOCK, ESTATE, AND GIFT TAX RETURNS BY THE SENATE COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

§ 458.307a *Inspection of returns by Senate Committee on Expenditures in the Executive Departments during second session, 82d Congress.* (a) Pursuant to the provisions of sections 55 (a), 508, 603, 729 (a), and 1204 of the Internal Revenue Code (53 Stat. 29, 111, 171; 54 Stat. 989, 1008; 55 Stat. 722; 26 U. S. C. 55 (a), 508, 603, 729 (a), and 1204), and of the Executive order issued thereunder,[1] any income, excess-profits, declared value excess-profits, capital stock, estate, or gift tax return for the years 1945 to 1950, inclusive, shall, during the second session of the Eighty-second Congress, be open to inspection by the Senate Committee on Expenditures in the Executive Departments or the duly authorized subcommittee thereof, in connection with its studies of the operation of Government activities at all levels with a view to determining its economy and efficiency.

The inspection of returns herein authorized may be made by the Committee or such duly authorized subcommittee thereof, acting directly as a Committee or as a subcommittee, or by or through such examiners or agents as the Committee or the subcommittee may designate or appoint in its written request hereinafter mentioned. Upon written request by the Chairman of the Committee or of the authorized subcommittee to the Secretary of the Treasury, giving the names and addresses of the taxpayers whose returns it is necessary to inspect and the taxable periods covered by the returns, the Secretary and any officer or employee of the Treasury Department shall furnish such Committee or subcommittee with any data relating to or contained in any such return, or shall make such return available for inspection by the Committee or the subcommittee or by such examiners or agents as the Committee or the subcommittee may designate or appoint, in the office of the Commissioner of Internal Revenue. Any information thus obtained by the Committee or the subcommittee thereof shall be held confidential: *Provided, however,* That any portion or portions thereof relevant or pertinent to the purpose of the investigation may be submitted by the Committee to the United States Senate.

(b) Because of the immediate need of the said Committee to inspect the tax returns herein mentioned, it is found that it is impracticable and contrary to the public interest to issue this section with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of that act.

(c) This section shall be effective upon its filing for publication in the FEDERAL REGISTER.

JOHN W. SNYDER,
Secretary of the Treasury.

Approved: February 11, 1952.

HARRY S. TRUMAN,
The White House.

[F. R. Doc. 52-1826; Filed, Feb. 11, 1952; 2:39 p. m.]

[1] See Title 3, Executive Order 10326, *supra.*

TITLE 32—NATIONAL DEFENSE

Chapter XIV—The Renegotiation Board

Subchapter A—Military Renegotiation Board Regulations Under the Renegotiation Act of 1948

PART 1421—AUTHORITY AND ORGANIZATION FOR RENEGOTIATION

BOARD AND REGIONAL BOARD

This part is amended by adding to § 1421.122, paragraphs (x) and (y) to read as follows:

(x) The term "Board" means the Renegotiation Board created by section 107 (a) of the Renegotiation Act of 1951 (Pub. Law 9, 82d Cong.).

(y) The term "Regional Board" means a Regional Board created by the Board by Section 1 of the "Delegation of Authority to Regional Boards under the Renegotiation Acts of 1948 and 1951", dated February 8, 1952 (see F. R. Doc. 52-1777, in the Notices Section, *infra*).

(Sec. 109, Pub. Law 9, 82d Cong.)

PART 1422—PROCEDURE FOR RENEGOTIATION

MISCELLANEOUS AMENDMENTS

This part is amended in the following respects:

1. Subpart A is deleted in its entirety and the following inserted in lieu thereof: "Subpart A. [Reserved.]"

2. Subpart B is amended by deleting from §§1422.222-4 and 1422.222-5 the words "the Military Renegotiation Policy and Review Board, The Pentagon, Washington 25, D. C." and inserting in lieu thereof the words "The Renegotiation Board, Washington 25, D. C."

3. Subparts C, D, E and F are deleted in their entirety and the following Subparts C, D, E, F, G, H and I inserted in lieu thereof:

SUBPART C—ASSIGNMENT OF CONTRACTORS FOR RENEGOTIATION

Sec.
1422.231 When assignment is made.
1422.232 How assignment is made.
1422.232-1 Assignment to a Regional Board.
1422.232-2 Designation of cases.
1422.232-3 Notification to contractor of assignment.
1422.233 Cancellation of assignment.
1422.234 Reassignment to Board.

SUBPART D—CONDUCT OF RENEGOTIATION

1422.241 Statutory provision.
1422.242 Commencement of renegotiation.
1422.243 Conduct of renegotiation by Regional Board.
1422.244 Conduct of renegotiation by Board.

SUBPART E—CLEARANCE PROCEDURE

1422.251 When clearance procedure used.
1422.252 Determination by Regional Board.
1422.252-1 Class A cases.
1422.252-2 Class B cases.
1422.253 Determination by Board.
1422.254 Form of clearance.

SUBPART F—AGREEMENT PROCEDURE

1422.261 Statutory provision.
1422.262 When agreement procedure used.
1422.263 Determination by Regional Board.

AUTHORITY: §§ 1422.231 to 1422.292 issued under sec. 109, Pub. Law 9, 82d Cong.

SUBPART C—ASSIGNMENT OF CONTRACTORS FOR RENEGOTIATION

§ 1422.231 *When assignment is made.* After receipt of a Standard Form of Contractor's Report from a contractor, the Board will assign the case to a Regional Board for renegotiation if it determines that further proceedings in the matter are warranted. Generally, an assignment will be made whenever a contractor's receipts and accruals during a fiscal year are in excess of the statutory minimum. (See § 1423.347 of this subchapter.) However, no assignment will be made when the Board can readily decide on the basis of the information contained in the Standard Form of Contractor's Report that the contractor has not realized excessive profits for the fiscal year and that no purpose would be served by making an assignment to a Regional Board. If the Board decides not to make an assignment, the Board will notify the contractor to this effect and will not take any further action with respect to the fiscal year, in the absence of a subsequent indication that there is a possibility that the contractor has realized excessive profits for such fiscal year.

§ 1422.232 *How assignment is made.*

§ 1422.232–1 *Assignment to a Regional Board.* An assignment may be made to a Regional Board on some basis other than geographical in an appropriate case when it is believed that such assignment will promote efficiency in the renegotiation procedure. Similarly, the Board will reassign a case from one Regional Board to another if it appears that efficiency of renegotiation procedure will be promoted thereby.

§ 1422.232–2 *Designation of cases.* At the time of assignment, every case will be designated by the Board as either a Class A case or a Class B case. Generally, a Class A case will be one in which the contractor reports on the Standard Form of Contractor's Report that it has derived from subject contracts profits of more than $400,000, and a Class B case will be one in which the contractor reports on the Standard Form of Contractor's Report that it has derived from subject contracts profits of $400,000 or less. The Board has delegated to the Regional Boards authority (a) in Class A cases, to make recommended determinations of excessive profits to the Board for final determination by the Board, and (b) in Class B cases, to make final determinations of excessive profits.

§ 1422.232–3 *Notification to contractor of assignment.* The Regional Board to which the case is assigned will notify the contractor of the assignment and will also advise the contractor whether the case is a Class A case or a Class B case.

§ 1422.233 *Cancellation of assignment.* The Board will cancel an assignment whenever it appears that the contractor has not realized excessive profits for the fiscal year in question. Ordinarily, the Board will cancel an assignment only after the Regional Board to which the assignment has been made has advised the Board that in its opinion the contractor has not realized excessive profits and that the assignment should be cancelled. After an assignment has been cancelled, no further action will be taken by the Board with respect to the fiscal year in the absence of a subsequent indication that there is a possibility that the contractor has realized excessive profits for such fiscal year.

§ 1422.234 *Reassignment to Board.* A case will be reassigned from a Regional Board to the Board in the circumstances set forth in § 1422.244.

SUBPART D—CONDUCT OF RENEGOTIATION

§ 1422.241 *Statutory provision.* Subsection (b) of the act provides in part as follows:

> Whenever in the opinion of the Secretary of Defense excessive profits are reflected under any contract or contracts or subcontract or subcontracts required to contain the Renegotiation Article prescribed in subsection (a), the Secretary is authorized and directed to renegotiate such contracts and subcontracts for the purpose of eliminating excessive profits. He shall endeavor to make an agreement with the contractor or subcontractor with respect to the amount, if any, of such excessive profits and to their elimination. If no such agreement is reached, the Secretary shall issue an order determining the amount, if any, of such excessive profits and shall eliminate them by any of the methods set forth in subsection (c) (2) of the Renegotiation Act of February 25, 1944, as amended. * * *

§ 1422.242 *Commencement of renegotiation.* Renegotiation proceedings will be commenced by mailing a notice to that effect by registered mail to the contractor. Ordinarily, renegotiation proceedings will not be commenced until after the contractor has filed a Standard Form of Contractor's Report and the case has been assigned to a Regional Board for renegotiation (see § 1422.231).

§ 1422.243 *Conduct of renegotiation by Regional Board.* After a case has been assigned to a Regional Board for renegotiation, the Regional Board will review the Standard Form of Contractor's Report submitted by the contractor and will determine what additional information is necessary to enable the Regional Board to consider the contractor's operations for the fiscal year under review. When necessary, preliminary meetings with the contractor will be held to discuss the information to be presented by the contractor and the manner in which it is to be presented. The Regional Board will endeavor to keep the number of such meetings as small as possible. After all relevant information concerning the fiscal year under review has been assembled, a meeting will be held with the contractor, unless the Regional Board and the contractor are both of the opinion that no purpose would be served by the holding of such a meeting. At this meeting the contractor will have an opportunity to discuss the material previously submitted by him and any other matters which he considers pertinent to the case. After the meeting has been concluded, or after it has been determined that no meeting will be held, the Regional Board will advise the contractor of its determination of the amount, if any, of excessive profits which the contractor has realized during the fiscal year in question. If the contractor has previously met only with the staff of the Regional Board, he may, at his option, meet with at least one member of the Regional Board concerning the case before the Regional Board takes final action. The extent to which the determination of the Regional Board is subject to Board approval and the manner in which the determination will be embodied in a formal document are set forth in Subparts E to G of this part.

§ 1422.244 *Conduct of renegotiation by Board.* A case will be reassigned from a Regional Board to the Board for further proceedings when (a) a Regional Board makes a determination in a Class A case with which the contractor or the Board is not in accord and when the Board does not direct the Regional Board to conduct further proceedings in the matter (see §§ 1422.251–1, 1422.263–1, and 1422.272–1); or (b) a Regional Board makes a determination by unilateral order in a Class B case and the Board initiates a review of such case (see § 1422.272–2); or (c) the Board considers for any other reason that the case should be handled by the Board rather than by the Regional Board to which the case has been previously assigned. After a case is so reassigned, the Board will make a determination of the amount of excessive profits, if any, which the contractor has realized for the fiscal year under review on the basis of the financial and other data collected by the Regional Board and such further information as the Board considers pertinent and after giving the contractor an opportunity to meet with one or more members of the Board. The determination of the Board will be embodied in a clearance notice, a clearance agreement, a refund agreement or a unilateral order, whichever is appropriate (see §§ 1422.254, 1422.264 and 1422.274).

SUBPART E—CLEARANCE PROCEDURE

§ 1422.251 *When clearance procedure used.* The procedure set forth in this part will be used when a Regional Board or the Board determines that the contractor has not realized excessive profits for a fiscal year.

§ 1422.252 *Determination by Regional Board.*

§ 1422.252–1 *Class A cases.* When a Regional Board determines in a Class A case that the contractor has not realized excessive profits for the fiscal year under review, the Regional Board will notify the Board of the Regional Board's determination and submit a report of the case to the Board. The Regional Board will notify the contractor of the action taken by the Regional Board. Upon receipt of notification from a Regional Board of the determination of such Regional Board that the contractor has not realized excessive profits, the Board will review the report of the Regional Board and decide whether it is in accord with the Regional Board's determination. If the Board is in accord with the Regional Board's determination, the Board will so notify the Regional Board. In such event, the Regional Board will embody its determination in a clearance. If the Board is not in accord with the Regional Board's determination, the Board will direct the Regional Board to vacate the determination and so advise the contractor. In such case, the Board, in its discretion, will either direct the Regional Board to conduct further proceedings in the matter or reassign the case to the Board. In the latter event, the applicable procedure will be that set forth in § 1422.244.

§ 1422.252–2 *Class B cases.* When a Regional Board determines in a Class B case that the contractor has not realized excessive profits for the fiscal year under review, the Regional Board will embody its determination in a clearance.

§ 1422.253 *Determination by Board.* When a case is transferred to the Board pursuant to § 1422.244 and the Board determines that the contractor did not realize excessive profits for the fiscal year under review, the Board will embody its determination in a clearance.

§ 1422.254 *Form of clearance.* The Regional Board or the Board, as the case may be, will issue a clearance notice to the contractor when it has been determined that the contractor has not realized excessive profits, unless the determination is conditioned upon the happening of subsequent events. In the latter case, such determination will be embodied in a clearance agreement. When a clearance notice has been issued in a case, no further action will be taken unless it later appears that the data upon which the determination was made did not reflect correctly the profits derived by the contractor from subject contracts for the fiscal year under review.

SUBPART F—AGREEMENT PROCEDURE

§ 1422.261 *Statutory provision.* Subsection (e) of the act provides as follows:

> Agreements or orders determining excessive profits shall be final and conclusive in accordance with their terms and except upon a showing of fraud or malfeasance or willful misrepresentation of a material fact shall not be annulled, modified, reopened, or disregarded, except that in the case of orders determining excessive profits the amount of the excessive profits, if any, may be redetermined by the Tax Court of the United States in the manner prescribed in subsection (e) (1) of the Renegotiation Act of February 25, 1944, as amended, except that such redetermination shall be subject to review to the extent and in the manner provided by subchapter B of chapter 5 of the Internal Revenue Code.

§ 1422.262 *When agreement procedure used.* The procedure set forth in this part will be used when the contractor has agreed with a Regional Board or the Board concerning the amount of excessive profits realized by the contractor during a fiscal year.

§ 1422.263 *Determination by Regional Board.* When a Regional Board determines that the contractor has realized excessive profits for a fiscal year and the contractor agrees to refund the amount so determined to be excessive profits, the Regional Board will prepare an agreement and submit it to the contractor for execution.

§ 1422.263–1 *Class A cases.* In a Class A case, after the contractor has returned the agreement properly executed to the Regional Board, the Regional Board will submit the agreement and a report of the case to the Board. The Board will review the case and decide whether it is in accord with the determination of the Regional Board. If the Board is in accord with the determination of the Regional Board, the Board will authorize the Regional Board to execute the agreement on behalf of the Government. If the Board is not in accord with the Regional Board's determination, the Board will direct the Regional Board to vacate the determination, return the agreement to the contractor, and advise the contractor that it is proposed to make a different determination. In such case, the Board, in its discretion, will either direct the Regional Board to conduct further proceedings in the matter or reassign the case to the Board. In the latter event, the applicable procedure will be that set forth in § 1422.244.

§ 1422.263–2 *Class B cases.* In a Class B case, after the contractor has returned the agreement properly executed to the Regional Board, the Regional Board will execute the agreement on behalf of the Government.

§ 1422.264 *Determination by Board.* When a case is transferred to the Board pursuant to § 1422.244 and the Board determines that the contractor has realized excessive profits for the fiscal year under review, the Board will endeavor to make an agreement with the contractor for the refund of such excessive profits.

§ 1422.265 *Finality of agreement.* An agreement by a contractor to refund the amount determined by a Regional Board or the Board to be excessive profits shall be conclusive according to its terms; and, except upon a showing of fraud or malfeasance or a willful misrepresentation of a material fact, (a) such agreement shall not for the purposes of the act be reopened as to the matters agreed upon, and shall not be modified by any officer, employee, or agent of the United States, and (b) such agreement and any determination made in accordance therewith shall not be annulled, modified, set aside, or disregarded in any suit, action, or proceeding.

SUBPART G—UNILATERAL ORDER PROCEDURE

§ 1422.271 *When unilateral order procedure used.* The procedure set forth in this part will be used when a Regional Board or the Board determines that the contractor has realized excessive profits for a fiscal year and the contractor is unwilling to enter into an agreement for the refund of such excessive profits.

§ 1422.272 *Determination by Regional Board.*

§ 1422.272–1 *Class A cases.* When a Regional Board determines in a Class A case that the contractor has realized excessive profits and the contractor is unwilling to enter into an agreement for the refund of the amount so determined to be excessive profits, the Regional Board will notify the Board of such determination and submit a report of the case to the Board. The Board will thereafter direct the Regional Board to vacate the determination and cause the case to be reassigned to the Board for further proceedings unless the Board is of the opinion that further meetings between the Regional Board and the contractor might result in an agreement between them. In the latter event the Board will direct the Regional Board to conduct further proceedings in the matter, and, in appropriate cases, will also direct the Regional Board to vacate its determination. When the Board causes the case to be reassigned to the Board, the applicable procedure will be that set forth in § 1422.244.

§ 1422.272–2 *Class B cases.* When a Regional Board determines in a Class B case that the contractor has realized excessive profits and the contractor is unwilling to enter into an agreement for the refund of the amount determined to be excessive profits, the Regional Board will issue and enter a unilateral order determining the amount of such excessive profits and give notice thereof by registered mail to the contractor. The Board may review such determination on its own motion, or, in its discretion, at the request of the contractor. Unless the Board upon its own motion initiates a review of such determination within 90 days from the date the notice of the order is mailed to the contractor, or, at the request of the contractor made within 90 days from such date, initiates a review of such determination within 90 days from the date of such request, such determination will be deemed to be the determination of the Board. The Board will give notice by registered mail to the contractor of its decision not to review the case. If the Board decides to review the case, the Board will so advise the contractor and the applicable procedure will be that set forth in § 1422.244.

§ 1422.273 *Determination by the Armed Services Renegotiation Board.* A determination made by unilateral order by the Chairman of a Division of the Armed Services Renegotiation Board prior to January 20, 1952 shall be subject to review in accordance with the regulations in effect on that date. In the event that a review is initiated by the Board in any such case, the Board will so advise the contractor and the applicable procedure will be that set forth in § 1422.244.

§ 1422.274 *Determination by Board.* When the Board determines in a Class A case, or upon review of a unilateral order in a Class B case, or upon review of a unilateral order issued by the Chairman of a Division of the Armed Services Renegotiation Board, that the contractor has realized excessive profits for a fiscal year and the contractor is unwilling to enter into an agreement for the refund of such excessive profits, the Board will issue a unilateral order determining the amount of excessive profits to be refunded and give notice thereof by registered mail to the contractor.

SUBPART H—REVIEW BY THE TAX COURT

§ 1422.281 *Statutory provisions.*

§ 1422.281–1 *Subsection (e) of act.* Subsection (e) of the act provides as follows:

Agreements or orders determining excessive profits shall be final and conclusive in accordance with their terms and except upon a showing of fraud or malfeasance or willful misrepresentation of a material fact shall not be annulled, modified, reopened, or disregarded, except that in the case of orders determining excessive profits the amount of the excessive profits, if any, may be redetermined by The Tax Court of the United States in the manner prescribed in subsection (e) (1) of the Renegotiation Act of February 25, 1944, as amended, except that such redetermination shall be subject to review to the extent and in the manner provided by subchapter B of Chapter 5 of the Internal Revenue Code.

§ 1422.281–2 *Subsection (e) (1) of Renegotiation Act of February 25, 1944.* Subsection (e) (1) of the Renegotiation Act of February 25, 1944, as amended, provides as follows:

(1) Any contractor or subcontractor aggrieved by an order of the Board determining the amount of excessive profits received or accrued by such contractor or subcontractor may, within ninety days (not including Sunday or a legal holiday in the District of Columbia as the last day) after the mailing of the notice of such order under subsection (c) (1), file a petition with the Tax Court of the United States for a redetermination thereof. Upon such filing such court shall have exclusive jurisdiction, by order, to finally determine the amount, if any, of such excessive profits received or accrued by the contractor or subcontractor, and such determination shall not be reviewed or redetermined by any court or agency. The court may determine as the amount of excessive profits an amount either less than, equal to, or greater than that determined by the Board. A proceeding before the Tax Court to finally determine the amount, if any, of excessive profits shall not be treated as a proceeding to review the determination of the Board, but shall be treated as a proceeding de novo. For the purposes of this subsection the court shall have the same powers and duties, insofar as applicable, in respect of the contractor, the subcontractor, the Board and the Secretary, and in respect of the attendance of witnesses and the production of papers, notice of hearings, hearings before divisions, review by the Tax Court of decisions of divisions, stenographic reporting, and reports of proceedings, such as court has under sections 1110, 1111, 1113, 1114, 1115 (a), 1116, 1117 (a), 1118, 1120 and 1121 of the Internal Revenue Code in the case of a proceeding to redetermine a deficiency. In the case of any witness for the Board or Secretary, the fees and mileage, and the expenses of taking any deposition shall be paid out of the appropriations of the Board or Department available for that purpose, and in the case of any other witness, shall be paid, subject to rules prescribed by the court, by the party at whose instance the witness appears or the deposition is taken. The filing of a petition under this subsection shall not operate to stay the execution of the order of the Board under subsection (c) (2).

§ 1422.281–3 *Subchapter B of Chapter 5 of the Internal Revenue Code.* Subchapter B of Chapter 5 of the Internal Revenue Code sets forth procedures for review of decisions of the Tax Court by the United States Courts of Appeals. Reference is made to sections 1140 to 1146, inclusive, of the Internal Revenue Code for provisions dealing with the procedure for such review.

SUBPART I—STATEMENTS TO CONTRACTORS

§ 1422.291 *Furnishing of statements of determinations by unilateral order.* When the Board makes a determination with respect to the amount of excessive profits and such determination is made by order, the Board will furnish the contractor a statement of such determination, of the facts used as a basis therefor, and of its reasons for such determination, provided that the contractor requests such a statement in writing within 30 days after the date the notice of the order is mailed by the Board to the contractor pursuant to § 1422.274. When a determination of a Regional Board is deemed to be the determination of the Board (see § 1422.272–2) the Regional Board will furnish the contractor a statement of such determination, of the facts used as a basis therefor, and of the reasons for such determination: *Provided*, That the contractor requests such statement in writing within 30 days after the Board mails to the contractor its notice of its decision not to review the unilateral order of the Regional Board pursuant to § 1422.272–2.

§ 1422.292 *Furnishing of other statements.* When a Regional Board or the Board has made a determination of excessive profits and the contractor is unable to decide whether to enter into an agreement for the refund of such excessive profits, the Regional Board or the Board, as the case may be, will furnish the contractor a written summary of the facts and reasons upon which such determination is based in order to assist the contractor in determining whether or not it will enter into an agreement: *Provided*, That the contractor requests such a statement within a reasonable time after it has been advised of the determination, and states that it has submitted all the evidence which it believes to be relevant to the renegotiation proceedings.

PART 1426—IMPASSE PROCEDURE

This part is deleted in its entirety.

Dated: February 8, 1952.

JOHN T. KOEHLER,
Chairman,
The Renegotiation Board.

[F. R. Doc. 52–1778; Filed, Feb. 12, 1952; 8:50 a. m.]

Subchapter B—Renegotiation Regulations Under the 1951 Act

PART 1470—PRELIMINARY INFORMATION REQUIRED OF CONTRACTORS

The Renegotiation Board hereby adopts Part 1470 of the proposed regulations which were published on January 10, 1952 (17 F. R. 322–323), with the following changes: § 1470.3 is amended by changing paragraph (d) thereof. Part 1470 as adopted reads as follows:

Sec.
1470.1 Scope of part.
1470.2 Statutory provision.
1470.3 Filing of financial statement.

§ 1470.1 *Scope of part.* This part deals with the filing of financial statements required of contractors, and other preliminary information.

§ 1470.2 *Statutory provision.* Section 105 (e) (1) of the act provides as follows:

Furnishing of financial statements, etc. Every person who holds contracts or subcontracts, to which the provisions of this title are applicable, shall, in such form and detail as the Board may by regulations prescribe, file with the Board, on or before the first day of the fourth calendar month following the close of his fiscal year, a financial statement setting forth such information as the Board may by regulations prescribe as necessary to carry out this title. In addition to the statement required under the preceding sentence, every such person shall, at such time or times and in such form and detail as the Board may by regulations prescribe, furnish the Board any information, records, or data which are determined by the Board to be necessary to carry out this title. Any person who willfully fails or refuses to furnish any statement, information, records, or data required of him under this subsection, or who knowingly furnishes any such statement, information, records, or data containing information which is false or misleading in any material respect, shall, upon conviction thereof, be punished by a fine of not more than $10,000 or imprisonment for not more than one year, or both.

§ 1470.3 *Filing of financial statement*—(a) *Form.* In accordance with the requirements of the first sentence of section 105 (e) (1) of the act, the "Standard Form of Contractor's Report" is hereby prescribed as the form of financial statement required to be filed by prime contractors and subcontractors, including sales agents and others whose principal business falls within the definition of subcontracts as set forth in section 103 (g) (3) of the act. The Standard Form of Contractor's Report is composed of two parts (RB 1 and RB 1B),

No special form is prescribed for construction contractors, architects and engineers. Such contractors shall adapt the Standard Form of Contractor's Report to their particular needs.

(b) *By whom filed.* In accordance with section 105 (e) (1) of the act, every person who holds prime contracts or subcontracts which are subject to the act is required to file the Standard Form of Contractor's Report. The fact that a prime contractor or subcontractor did not receive or accrue any amount during its fiscal year from such prime contracts or subcontracts, or that its aggregate receipts or accruals therefrom did not exceed $250,000 (or $25,000, in the case of subcontracts described in section 103 (g) (3) of the act), does not relieve such prime contractor or subcontractor from the obligation to file a Standard Form of Contractor's Report for such year.

(c) *Sufficiency of contents.* The Standard Form of Contractor's Report is required to be prepared in accordance with the instructions contained therein. However, if any of the information called for by the Standard Form of Contractor's Report for a fiscal year has been furnished previously by the contractor to the Board, the contractor may complete the Standard Form of Contractor's Report by incorporating therein, by reference, the information so furnished and making a specific statement of the time and place of such filing.

(d) *Time for filing.* (1) The Standard Form of Contractor's Report shall be filed on or before the first day of the fourth calendar month following the close of the fiscal year of the contractor, whether or not any specific request for filing has been made: *Provided, however,* That the filing of the portion of the Standard Form of Contractor's Report entitled RB 1B shall be subject to the provisions of subparagraph (2) of this paragraph.

(2) RB Form 1B shall, whenever possible, be filed with RB Form 1. If not so filed, said RB Form 1B shall be filed as soon thereafter as possible but not later than the sixtieth day after the date prescribed in subparagraph (1) of this paragraph for the filing of the Standard Form of Contractor's Report or, if the time of the contractor to file such report has been extended by the Board, then not later than the sixtieth day after such extended date.

(3) The filing of RB Form 1 will be considered to be the filing of the statement required under section 105 (e) (1) of the act for the purposes of § 1465.2 of this subchapter.

(e) *Place for filing.* The Standard Form of Contractor's Report shall be filed in duplicate with The Renegotiation Board, Washington 25, D. C.

(f) *Availability of forms.* Copies of the Standard Form of Contractor's Report may be obtained from The Renegotiation Board, Washington 25, D. C.

(g) *Effect of filing.* The filing of a Standard Form of Contractor's Report in accordance with the provisions of this section will not relieve any prime contractor or subcontractor of the duty to furnish such other information, records, or data which are determined by the Board to be necessary to carry out its responsibilities under the act.

(h) *Filing on a consolidated basis.* (1) Parent and subsidiary corporations which constitute an "affiliated group" as defined in section 141 (d) of the Internal Revenue Code and which qualify for renegotiation on a consolidated basis (see § 1464.2 of this subchapter) may satisfy the requirements for the filing of the financial statement prescribed by the first sentence of section 105 (e) (1) of the act by filing a Standard Form of Contractor's Report on a consolidated basis. When such a consolidated form of Standard Form of Contractor's Report is filed, each subsidiary corporation shall also file a separate Standard Form of Contractor's Report, except as hereafter provided in this subparagraph. A separate Standard Form of Contractor's Report filed by a member of an affiliated group need not contain the detailed information specified in such form but may be completed by a statement that a consolidated report has been filed by the parent corporation. However, as set forth in § 1464.8 (b) of this subchapter, a standard form with fuller information will be required later of each member of the group having renegotiable business if excessive profits are to be allocated between members of the group. When any such subsidiary corporation has not received or accrued during the applicable period any amount whatever under renegotiable prime contracts or subcontracts, it need not file a separate report. The filing of a consolidated Standard Form of Contractor's Report does not necessarily commit the members of the group to renegotiation on a consolidated basis, nor does the acceptance of such a filing commit the Government to this course.

(2) Each of two or more related contractors not constituting an "affiliated group" shall file a Standard Form of Contractor's Report even though such related contractors intend to file a request for renegotiation on a consolidated basis (see § 1464.4 of this subchapter). In the event the Board approves such request for consolidation, such related contractors will be required to file thereafter a consolidated Standard Form of Contractor's Report.

PART 1471—ASSIGNMENT OF CONTRACTORS FOR RENEGOTIATION

Sec.

AUTHORITY: §§ 1471.1 to 1471.4 issued under sec. 109, Pub. Law 9, 82d Cong. Interpret or apply sec. 107, Pub. Law 9, 82d Cong.

§ 1471.1 *When assignment is made.* After receipt of a Standard Form of Contractor's Report from a contractor, the Board will assign the case to a Regional Board for renegotiation if it determines that further proceedings in the matter are warranted. Generally, an assignment will be made whenever a contractor's receipts and accruals during a fiscal year are in excess of the applicable statutory minimum. (See Part 1458 of this subchapter.) (However, no assignment will be made when the Board can readily decide on the basis of the information contained in the Standard Form of Contractor's Report that the contractor has not realized excessive profits for the fiscal year and that no purpose would be served by making an assignment to a Regional Board. If the Board decides not to make an assignment, the Board will notify the contractor to this effect and will not take any further action with respect to the fiscal year, in the absence of a subsequent indication that there is a possibility that the contractor has realized excessive profits for such fiscal year.

§ 1471.2 *How assignment is made.* (a) An assignment may be made to a Regional Board on some basis other than geographical in an appropriate case when it is believed that such assignment will promote efficiency in the renegotiation procedure. Similarly, the Board will reassign a case from one Regional Board to another if it appears that efficiency of renegotiation procedure will be promoted thereby.

(b) At the time of assignment, every case will be designated by the Board as either a Class A case or a Class B case. Generally, a Class A case will be one in which the contractor reports on the Standard Form of Contractor's Report that it has derived from subject contracts profits of more than $400,000 and a Class B case will be one in which the contractor reports on the Standard Form of Contractor's Report that it has derived from subject contracts profits of $400,000 or less. The Board has delegated to the Regional Boards authority (1) in Class A cases, to make recommended determinations of excessive profits to the Board for final determination by the Board, and (2) in Class B cases, to make final determinations of excessive profits (see § 1499.50 of this subchapter.

(c) The Regional Board to which the case is assigned will notify the contractor of the assignment and will also advise the contractor whether the case is a Class A case or a Class B case.

§ 1471.3 *Cancellation of assignment.* The Board will cancel an assignment whenever it appears that the contractor has not realized excessive profits for the fiscal year in question. Ordinarily, the Board will cancel an assignment only after the Regional Board to which the assignment has been made has advised the Board that in its opinion the contractor has not realized excessive profits and that the assignment should be cancelled. After an assignment has been cancelled, no further action will be taken by the Board with respect to the fiscal year in the absence of a subsequent indication that there is a possibility that the contractor has realized excessive profits for such fiscal year.

§ 1471.4 *Reassignment to Board.* A case will be reassigned from a Regional Board to the Board in the circumstances set forth in § 1472.4 of this subchapter.

PART 1472—CONDUCT OF RENEGOTIATION

Sec.
1472.1 Statutory provision.
1472.2 Commencement of renegotiation.
1472.3 Conduct of renegotiation by Regional Board.
1472.4 Conduct of renegotiation by Board.

AUTHORITY: §§ 1472.1 to 1472.4 issued under sec. 109, Pub. Law 9, 82d Cong. Interpret or apply sec. 105, Pub. Law 9, 82d Cong.

§ 1472.1 *Statutory provision.* Section 105 (a) of the act provides in part as follows:

Renegotiation proceedings shall be commenced by the mailing of notice to that effect, in such form as may be prescribed by regulation, by registered mail to the contractor or subcontractor. The Board shall endeavor to make an agreement with the contractor or subcontractor with respect to the elimination of excessive profits received or accrued, and with respect to such other matters relating thereto as the Board deems advisable. Any such agreement, if made, may, with the consent of the contractor or subcontractor, also include provisions with respect to the elimination of excessive profits likely to be received or accrued. If the Board does not make an agreement with respect to the elimination of excessive profits received or accrued, it shall issue and enter an order determining the amount, if any, of such excessive profits, and forthwith give notice thereof by registered mail to the contractor or subcontractor. In the absence of the filing of a petition with The Tax Court of the United States under the provisions of and within the time limit prescribed in section 108, such order shall be final and conclusive and shall not be subject to review or redetermination by any court or other agency. * * *

§ 1472. *Commencement of renegotiation.* Renegotiation proceedings will be commenced by mailing a notice to that effect by registered mail to the contractor. Ordinarily, renegotiation proceedings will not be commenced until after the contractor has filed a Standard Form of Contractor's Report and the case has been assigned to a Regional Board for renegotiation. (See § 1471.1 of this subchapter.)

§ 1472.3 *Conduct of renegotiation by Regional Board.* After a case has been assigned to a Regional Board for renegotiation, the Regional Board will review the Standard Form of Contractor's Report submitted by the contractor and will determine what additional information is necessary to enable the Regional Board to consider the contractor's operations for the fiscal year under review. When necessary, preliminary meetings with the contractor will be held to discuss the information to be presented by the contractor and the manner in which it is to be presented. The Regional Board will endeavor to keep the number of such meetings as small as possible. After all relevant information concerning the fiscal year under review has been assembled, a meeting will be held with the contractor, unless the Regional Board and the contractor are both of the opinion that no purpose would be served by the holding of such a meeting. At this meeting the contractor will have an opportunity to discuss the material previously submitted by him and any other matters which he considers pertinent to the case. After the meeting has been concluded, or after it has been determined that no meeting will be held, the Regional Board will advise the contractor of its determination of the amount, if any, of excessive profits which the contractor has realized during the fiscal year in question. If the contractor has previously met only with the staff of the Regional Board, he may, at his option, meet with at least one member of the Regional Board concerning the case before the Regional Board takes final action. The extent to which the determination of the Regional Board is subject to Board approval and the manner in which the determination will be embodied in a formal document are set forth in Parts 1473 to 1475 of this subchapter.

§ 1472.4 *Conduct of renegotiation by Board.* A case will be reassigned from a Regional Board to the Board for further proceedings when (a) a Regional Board makes a determination in a Class A case with which the contractor or the Board is not in accord and when the Board does not direct the Regional Board to conduct further proceedings in the matter (see §§ 1473.2 (a), 1474.3 (a), and 1475.3 (a) of this subchapter); or (b) a Regional Board makes a determination by unilateral order in a Class B case and the Board initiates a review of such case (see § 1475.3 (b) of this subchapter); or (c) the Board considers for any other reason that the case should be handled by the Board rather than by the Regional Board to which the case has been previously assigned. After a case is so reassigned, the Board will make a determination of the amount of excessive profits, if any, which the contractor has realized for the fiscal year under review on the basis of the financial and other data collected by the Regional Board and such further information as the Board considers pertinent and after giving the contractor an opportunity to meet with one or more members of the Board. The determination of the Board will be embodied in a clearance notice, a clearance agreement, a refund agreement or a unilateral order, whichever is appropriate (see §§ 1473.4, 1474.4 and 1475.4 of this subchapter.

PART 1473—CLEARANCE PROCEDURE

Sec.
1473.1 When clearance procedure used.
1473.2 Determination by Regional Board.
1473.3 Determination by Board.
1473.4 Form of clearance.

AUTHORITY: §§ 1473.1 to 1473.4 issued under sec. 109, Pub. Law 9, 82d Cong. Interpret or apply sec. 105, Pub. Law 9, 82d Cong.

§ 1473.1 *When clearance procedure used.* The procedure set forth in this part will be used when a Regional Board or the Board determines that the contractor has not realized excessive profits for a fiscal year.

§ 1473.2 *Determination by Regional Board—(a) Class A cases.* When a Regional Board determines in a Class A case that the contractor has not realized excessive profits for the fiscal year under review, the Regional Board will notify the Board of the Regional Board's determination and submit a report of the case to the Board. The Regional Board will notify the contractor of the action taken by the Regional Board. Upon receipt of notification from a Regional Board of the determination of such Regional Board that the contractor has not realized excessive profits, the Board will review the report of the Regional Board and decide whether it is in accord with the Regional Board's determination. If the Board is in accord with the Regional Board's determination, the Board will so notify the Regional Board. In such event, the Regional Board will embody its determination in a clearance. If the Board is not in accord with the Regional Board's determination, the Board will direct the Regional Board to vacate the determination and so advise the contractor. In such case, the Board, in its discretion, will either direct the Regional Board to conduct further proceedings in the matter or reassign the case to the Board. In the latter event, the applicable procedure will be that set forth in § 1472.4 of this subchapter.

(b) *Class B cases.* When a Regional Board determines in a Class B case that the contractor has not realized excessive profits for the fiscal year under review, the Regional Board will embody its determination in a clearance.

§ 1473.3 *Determination by Board.* When a case is transferred to the Board pursuant to § 1472.4 of this subchapter and the Board determines that the contractor did not realize excessive profits for the fiscal year under review, the Board will embody its determination in a clearance.

§ 1473.4 *Form of clearance.* The Regional Board or the Board, as the case may be, will issue a clearance notice to the contractor when it has been determined that the contractor has not realized excessive profits, unless the determination is conditioned upon the happening of subsequent events. In the latter case, such determination will be embodied in a clearance agreement. When a clearance notice has been issued in a case, no further action will be taken unless it later appears that the data upon which the determination was made did not reflect correctly the profits derived by the contractor from subject contracts for the fiscal year under review.

PART 1474—AGREEMENT PROCEDURE

Sec.
1474.1 Statutory provision.
1474.2 When agreement procedure used.
1474.3 Determination by Regional Board.
1474.4 Determination by Board.
1474.5 Finality of agreement.
1474.6 Modification of terms of payment provided in agreement.

AUTHORITY: §§ 1474.1 to 1474.6 issued under sec. 109, Pub. Law 9, 82d Cong. Interpret or apply sec. 105, Pub. Law 9, 82d Cong.

§ 1474.1 *Statutory provision.* Section 105 (d) of the act provides as follows:

Agreements to eliminate excessive profits. For the purpose of this title the Board may make final or other agreements with a contractor or subcontractor for the elimination of excessive profits and for the discharge of any liability for excessive profits under this title. Such agreements may contain such terms and conditions as the Board deems

advisable. Any such agreement shall be conclusive according to its terms; and, except upon a showing of fraud or malfeasance or a willful misrepresentation of a material fact, (1) such agreement shall not for the purposes of this title be reopened as to the matters agreed upon, and shall not be modified by any officer, employee, or agent of the United States, and (2) such agreement and any determination made in accordance therewith shall not be annulled, modified, set aside, or disregarded in any suit, action, or proceeding. Notwithstanding any other provision of this title, however, the Board shall have the power, pursuant to regulations promulgated by it, to modify any agreement or order for the purpose of extending the time for payment of sums due under such agreement or order.

§ 1474.2 *When agreement procedure used.* The procedure set forth in this part will be used when the contractor has agreed with a Regional Board or the Board concerning the amount of excessive profits realized by the contractor during a fiscal year.

§ 1474.3 *Determination by Regional Board.* When a Regional Board determines that the contractor has realized excessive profits for a fiscal year and the contractor agrees to refund the amount so determined to be excessive profits, the Regional Board will prepare an agreement and submit it to the contractor for execution.

(a) *Class A cases.* In a Class A case, after the contractor has returned the agreement properly executed to the Regional Board, the Regional Board will submit the agreement and a report of the case to the Board. The Board will review the case and decide whether it is in accord with the determination of the Regional Board. If the Board is in accord with the determination of the Regional Board, the Board will authorize the Regional Board to execute the agreement on behalf of the Government. If the Board is not in accord with the Regional Board's determination, the Board will direct the Regional Board to vacate the determination, return the agreement to the contractor, and advise the contractor that it is proposed to make a different determination. In such case, the Board, in its discretion, will either direct the Regional Board to conduct further proceedings in the matter or reassign the case to the Board. In the latter event, the applicable procedure will be that set forth in § 1472.4 of this subchapter.

(b) *Class B cases.* In a Class B case, after the contractor has returned the agreement properly executed to the Regional Board, the Regional Board will execute the agreement on behalf of the Government.

§ 1474.4 *Determination by Board.* When a case is transferred to the Board pursuant to § 1472.4 of this subchapter and the Board determines that the contractor has realized excessive profits for the fiscal year under review, the Board will endeavor to make an agreement with the contractor for the refund of such excessive profits.

§ 1474.5 *Finality of agreement.* Subject to the provisions of § 1474.6, an agreement by a contractor to refund the amount determined by a Regional Board or the Board to be excessive profits shall be conclusive according to its terms; and, except upon a showing of fraud or malfeasance or a willful misrepresentation of a material fact, (a) such agreement shall not for the purposes of the act be reopened as to the matters agreed upon, and shall not be modified by any officer, employee, or agent of the United States, and (b) such agreement and any determination made in accordance therewith shall not be annulled, modified, set aside, or disregarded in any suit, action, or proceeding.

§ 1474.6 *Modification of terms of payment provided in agreement.* The Board will extend the time for payment of sums due under an agreement when the Board is of the opinion that insistence by the Government on compliance with the terms of the agreement will be prejudicial to the public interest.

PART 1475—UNILATERAL ORDER PROCEDURE

NOTE: The interim regulations formerly contained in this part (16 F. R. 11954) are hereby redesignated Part 1492 of this subchapter (see Part 1492, *infra*).

Sec.
1475.1 Statutory provision.
1475.2 When unilateral order procedure used.
1475.3 Determination by Regional Board.
1475.4 Determination by Board.
1475.5 Tender of refund by contractor.

AUTHORITY: §§ 1475.1 to 1475.5 issued under sec. 109, Pub. Law 9, 82d Cong. Interpret or apply secs. 105 and 107, Pub. Law 9, 82d Cong.

§ 1475.1 *Statutory provision.* Section 107 (e) of the act provides in part as follows:

The Board may review any determination in any case not initially conducted by it, on its own motion or, in its discretion, at the request of any contractor or subcontractor aggrieved thereby. Unless the Board upon its own motion initiates a review of such determination within ninety days from the date of such determination, or at the request of the contractor or subcontractor made within ninety days from the date of such determination initiates a review of such determination within ninety days from the date of such request, such determination shall be deemed the determination of the Board. If such determination was made by an order with respect to which notice thereof was given by registered mail pursuant to section 105 (a), the Board shall give notice by registered mail to the contractor or subcontractor of its decision not to review the case. If the Board reviews any determination in any case not initially conducted by it and does not make an agreement with the contractor or subcontractor with respect to the elimination of excessive profits, it shall issue and enter an order under section 105 (a) determining the amount, if any, of excessive profits, and forthwith give notice thereof by registered mail to the contractor or subcontractor. The amount of excessive profits so determined upon review may be less than, equal to, or greater than, that determined by the agency of the Government whose action is so reviewed.

§ 1475.2 *When unilateral order procedure used.* The procedure set forth in this part will be used when a Regional Board or the Board determines that the contractor has realized excessive profits for a fiscal year and the contractor is unwilling to enter into an agreement for the refund of such excessive profits.

§ 1475.3 *Determination by Regional Board*—(a) *Class A cases.* When a Regional Board determines in a Class A case that the contractor has realized excessive profits and the contractor is unwilling to enter into an agreement for the refund of the amount so determined to be excessive profits, the Regional Board will notify the Board of such determination and submit a report of the case to the Board. The Board will thereafter direct the Regional Board to vacate the determination and cause the case to be reassigned to the Board for further proceedings, unless the Board is of the opinion that further meetings between the Regional Board and the contractor might result in an agreement between them. In the latter event the Board will direct the Regional Board to conduct further proceedings in the matter, and, in appropriate cases, will also direct the Regional Board to vacate its determination. When the Board causes the case to be reassigned to the Board, the applicable procedure will be that set forth in § 1472.4 of this subchapter.

(b) *Class B cases.* When a Regional Board determines in a Class B case that the contractor has realized excessive profits and the contractor is unwilling to enter into an agreement for the refund of the amount determined to be excessive profits, the Regional Board will issue and enter a unilateral order determining the amount of such excessive profits and give notice thereof by registered mail to the contractor. The Board may review such determination on its own motion, or, in its discretion, at the request of the contractor. Unless the Board upon its own motion initiates a review of such determination within 90 days from the date the notice of the order is mailed to the contractor, or, at the request of the contractor made within 90 days from such date, initiates a review of such determination within 90 days from the date of such request, such determination will be deemed to be the determination of the Board. The Board will give notice by registered mail to the contractor of its decision not to review the case. If the Board decides to review the case, the Board will so advise the contractor and the applicable procedure will be that set forth in § 1472.4 of this subchapter.

§ 1475.4 *Determination by Board.* When the Board determines in a Class A case, or upon review of a unilateral order in a Class B case, that the contractor has realized excessive profits for a fiscal year and the contractor is unwilling to enter into an agreement for the refund of such excessive profits, the Board will issue a unilateral order determining the amount of excessive profits to be refunded and give notice thereof by registered mail to the contractor.

§ 1475.5 *Tender of refund by contractor*—(a) *Statutory provision.* Section 105 (b) (2) of the act provides in part as follows:

• • • When The Tax Court of the United States, under section 108, redetermines the amount of excessive profits

received or accrued by a contractor or subcontractor, interest at the rate of 4 per centum per annum shall accrue and be paid by such contractor or subcontractor as follows: * * *

(C) When the amount of excessive profits determined by the Tax Court is less than the amount determined by the Board, interest shall accrue and be paid on such lesser amount from the thirtieth day after the date of the order of the Board to the date of repayment, except that no interest shall accrue or be payable on such lesser amount if such lesser amount is not in excess of an amount which the contractor or subcontractor tendered in payment prior to the issuance of the order of the Board.

(b) *Manner of making tender of refund.* In order to avoid the accrual of interest in the manner set forth in section 105 (b) (2) (C) of the act, the contractor shall make a tender of refund by certified check or cashier's check payable to the order of the Treasurer of the United States, such check to be tendered to the Chairman of the Board prior to the date the Board mails its notice of the unilateral order of the Board pursuant to § 1475.4 or the date the Board mails its notice of its decision not to review a unilateral order of a Regional Board pursuant to § 1475.3 (b).

PART 1476—REVIEW BY THE TAX COURT

§ 1476.1 *Statutory provision.* Section 108 of the act provides as follows:

Any contractor or subcontractor aggrieved by an order of the Board determining the amount of excessive profits received or accrued by such contractor or subcontractor may—

(a) If the case was conducted initially by the Board itself—within ninety days (not counting Sunday or a legal holiday in the District of Columbia as the last day) after the mailing under section 105 (a) of the notice of such order, or

(b) If the case was not conducted initially by the Board itself—within ninety days (not counting Sunday or a legal holiday in the District of Columbia as the last day) after the mailing under section 107 (e) of the notice of the decision of the Board not to review the case or the notice of the order of the Board determining the amount of excessive profits,

file a petition with The Tax Court of the United States for a redetermination thereof.

Upon such filing such court shall have exclusive jurisdiction, by order, to finally determine the amount, if any, of such excessive profits received or accrued by the contractor or subcontractor, and such determination shall not be reviewed or redetermined by any court or agency. The court may determine as the amount of excessive profits an amount either less than, equal to, or greater than that determined by the Board. A proceeding before the Tax Court to finally determine the amount, if any, of excessive profits shall not be treated as a proceeding to review the determination of the Board, but shall be treated as a proceeding de novo. For the purposes of this section the court shall have the same powers and duties, insofar as applicable in respect to the contractor, the subcontractor, the Board, and the Secretary, and in respect of the attendance of witnesses and the production of papers, notice of hearings, hearings before divisions, review by the Tax Court of decisions of divisions, stenographic reporting, and reports of proceedings, as such court has under sections 1110, 1111, 1113, 1114, 1115 (a), 1116, 1117 (a), 1118, 1120, and 1121 of the Internal Revenue Code in the case of a proceeding to redetermine a deficiency. In the case of any witness for the Board, the fees and mileage, and the expenses of taking any deposition shall be paid out of appropriations of the Board available for that purpose, and in the case of any other witnesses shall be paid, subject to rules prescribed by the court, by the party at whose instance the witness appears or the deposition is taken. The filing of a petition under this section shall operate to stay the execution of the order of the Board under subsection (b) of section 105 if within ten days after the filing of the petition the petitioner files with the Tax Court a good and sufficient bond, approved by such court, in such amount as may be fixed by the court. Any amount collected by the United States under an order of the Board in excess of the amount found to be due under a determination of excessive profits by the Tax Court shall be refunded to the contractor or subcontractor with interest thereon at the rate of 4 per centum per annum from the date of collection by the United States to the date of refund.

(Sec. 109, Pub. Law 9, 82d Cong. Interpret or apply sec. 108, Pub. Law 9, 82d Cong.)

PART 1477—STATEMENTS TO CONTRACTORS

Sec.
1477.1 Statutory provision.
1477.2 Furnishing of statements pursuant to statutory provision.
1477.3 Furnishing of other statements.

AUTHORITY: §§ 1477.1 to 1477.3 issued under sec. 109, Pub. Law 9, 82d Cong. Interpret or apply sec. 105, Pub. Law 9, 82d Cong.

§ 1477.1 *Statutory provision.* Section 105 (a) of the act provides in part as follows:

* * * Whenever the Board makes a determination with respect to the amount of excessive profits, and such determination is made by order, it shall, at the request of the contractor or subcontractor, as the case may be, prepare and furnish such contractor or subcontractor with a statement of such determination, of the facts used as a basis therefor, and of its reasons for such determination. Such statement shall not be used in The Tax Court of the United States as proof of the facts or conclusions stated therein.

§ 1477.2 *Furnishing of statements pursuant to statutory provision.* When the Board makes a determination with respect to the amount of excessive profits and such determination is made by order, the Board will furnish the contractor a statement of such determination, of the facts used as a basis therefor, and of its reasons for such determination, *Provided*, That the contractor requests such a statement in writing within 30 days after the date the notice of the order is mailed by the Board to the contractor pursuant to § 1475.4 of this subchapter. When a determination of a Regional Board is deemed to be the determination of the Board (see § 1475.3 (b) of this subchapter), the Regional Board will furnish the contractor a statement of such determination, of the facts used as a basis therefor, and of the reasons for such determination: *Provided*, That the contractor requests such statement in writing within 30 days after the Board mails to the contractor its notice of its decision not to review the unilateral order of the Regional Board pursuant to § 1475.3 (b) of this subchapter.

§ 1477.3 *Furnishing of other statements.* When a Regional Board or the Board has made a determination of excessive profits and the contractor is unable to decide whether to enter into an agreement for the refund of such excessive profits, the Regional Board or the Board, as the case may be, will furnish the contractor a written summary of the facts and reasons upon which such determination is based in order to assist the contractor in determining whether or not it will enter into an agreement: *Provided*, That the contractor requests such a statement within a reasonable time after it has been advised of the determination, and states that it has submitted all the evidence which it believes to be relevant to the renegotiation proceedings.

PART 1492—INSTRUCTIONS TO PRIME AND SUBCONTRACTORS ON SEGREGATION OF RENEGOTIABLE SALES

EDITORIAL NOTE: This part contains the interim regulations formerly appearing in Part 1475 of this subchapter. Such interim regulations will be superseded by Part 1456 of this subchapter upon adoption of the proposed Renegotiation Board Regulations (see 17 F. R. 305).

Dated: February 8, 1952.

JOHN T. KOEHLER,
Chairman,
The Renegotiation Board.

[F. R. Doc. 52-1775; Filed, Feb. 12, 1952; 8:48 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 9, Amdt. 1 to Supplementary Regulation 3]

CPR 9—TERRITORIES AND POSSESSIONS

SR 3—ESTABLISHMENT OF UNIFORM PRICES IN THE TERRITORIES

MODIFYING RECORD KEEPING REQUIREMENTS

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Supplementary Regulation 3 to Ceiling Price Regulation 9 is hereby issued.

STATEMENT OF CONSIDERATIONS

Section 9 (b) of Ceiling Price Regulation 9 provides that a person selling commodities covered by the regulation must keep records indicating the dollar-and-cents markups which are used in establishing his ceiling prices under the regulation. Supplementary Regulation 3 to CPR 9, however, provides for the establishing of uniform dollar-and-cents ceiling prices for certain commodities sold under the provisions of CPR 9. Since special orders issued under SR 3 do establish dollar-and-cents ceiling prices, the maintenance of records indicating markup becomes superfluous. This amendment, therefore, provides that when a commodity is being sold under a special order issued pursuant to

SR 3, the seller no longer need keep the records required by section 9 (b).

AMENDATORY PROVISIONS

1. SR 3 to Ceiling Price Regulation 9 is amended by adding at the end of section 1, the following new paragraph:

(f) Any person selling an article, the ceiling price for which is established under an order issued pursuant to this supplementary regulation, need not prepare or maintain records, showing how he determined his ceiling price for that article, required by section 9 (b) of Ceiling Price Regulation 9.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date: This Amendment 1 to Supplementary Regulation 3 to Ceiling Price Regulation 9 is effective February 18, 1952.

EDWARD F. PHELPS, Jr.,
Acting Director of Price Stabilization.

FEBRUARY 12, 1952.

[F. R. Doc. 52-1861; Filed, Feb. 12, 1952; 10:18 a. m.]

[General Ceiling Price Regulation, Amdt. 3 to Revision 1 to Supplementary Regulation 2]

GCPR, SR 2—RETAIL COAL DEALERS

CLASS OF PURCHASER OR PURCHASER OF THE SAME CLASS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 3 to Supplementary Regulation 2, Revision 1 to the General Ceiling Price Regulation, is hereby issued.

STATEMENT OF CONSIDERATIONS

The purposes of this amendment to Supplementary Regulation 2, Revision 1 of the General Ceiling Price Regulation are (1) to give recognition to the traditional marketing practices in the retail coal industry relating to classes of purchasers and (2) to provide a procedure for determining ceiling prices of coal sold on contracts resulting from public competitive bids.

In the retail coal industry there are a variety of local marketing practices adapted to the needs and peculiarities of local markets. In general, retail coal dealers are equipped to serve anyone who desires to buy coal for space heating. Purchases of this kind are usually made in small quantities and the annual consumption is limited. Extreme care is used by the dealer in preparing this coal at his yard, and in the delivery of it, that the customer may be satisfied and continue to make his purchases from that dealer year after year. A dealer indentifies this type of sale as a domestic sale, and the customer as a "domestic" customer.

Any other type of purchaser is usually referred to as a "commercial" purchaser. This type of sale is also known as industrial or steam business, or by other local names. This kind of purchaser generally makes continuing purchases during the heating season and often consumes coal the year around. Hotels, apartment houses, private schools, greenhouses, store buildings, and those industrial plants lacking railroad siding facilities are examples of this type of consumer.

The larger classes of purchasers are not easily classified due to a number of circumstances, oftentimes local in character, and sometimes according to an individual dealer's own practice. The pattern of pricing sales to "commercial" buyers lacks uniformity among retail coal dealers. Practices vary from community to community, and no standard pricing method could be established that would be fair and equitable. Even though dealers may have "domestic" and "commercial" price lists, there is not, generally, strict adherence to such price lists, as dealers often grant discounts from them. Trade pricing practice of the industry is not to establish a series of different prices, but rather, it takes the form of discounts, allowances and price differentials, usually based upon differences in quantities, location of purchasers or in terms or conditions of sale or delivery. Such concessions may be made from either the "domestic" or "commercial" price list. In many instances, such price concessions are granted regularly and dealers are required to continue to reflect such customary discounts, allowances and price differentials to customers who were given such price concessions in the past. This amendment makes it clear that customers who customarily have received these price differentials are considered as separate subclasses of domestic or commercial purchasers.

Purchasers who require competitive bids before they let fuel contracts have encountered difficulty in obtaining bids from dealers who have been restricted to their former bid prices by the General Ceiling Price Regulation. In order to clarify the status of public competitive bidding, this amendment specifically places the purchasers of solid fuels by the method of competitive bidding in the "commercial" classification, and the ceiling prices applicable to this class of purchaser are the ceiling prices applicable to the dealer's most nearly like sale to a purchaser of the commercial class. The competitive character of this type of business will assure the purchasers of a reasonable price within the limits of commercial ceiling price schedules. This technique is in general similar to the one used by OPA in Maximum Price Regulation 122 Revised, to cover a similar problem.

In the judgment of the Director of Price Stabilization the provisions of this amendment to Supplementary Regulation 2, Revision 1, to the General Ceiling Price Regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

So far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended, and to relevant factors of general applicability.

Prior to the issuance of this amendment, the Director consulted to the extent practicable with representatives of the industry, including members of the Retail Coal Dealers Industry Advisory Committee, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

Supplementary Regulation 2, Revision 1, to the General Ceiling Price Regulation, is amended in the following respects:

1. A new paragraph (h) to section 2 is added reading as follows:

(h) (1) "Class of purchaser" or "purchaser of the same class" means a purchaser or purchasers belonging to one of two general groups of purchasers: domestic purchasers or commercial purchasers. A dealer must continue to offer and grant his customary discounts, allowances and price differentials from the general domestic and commercial price lists, as further set forth in (3) below. A dealer may continue to charge and receive a differential above the general domestic and commercial price lists where he customarily has done so. Purchasers or groups of purchasers who customarily received price differentials as set forth in (3) below are considered sub-classes within the general classes of domestic and commercial purchasers.

(2) Whether a particular customer of any dealer is in the general domestic or general commercial class depends upon the practice or custom of the individual dealer. In general, however, a "domestic purchaser" is one who uses solid fuels for space heating, who takes delivery in small quantities and whose annual consumption is limited. In general, all other customers are referred to as "commercial purchasers," although local custom sometimes refers to them as "industrial" or "steam" purchasers, or by other local names.

(3) Each dealer's ceiling prices shall continue to reflect his customary discounts, allowances and price differentials from his domestic and commercial prices, whether based upon differences in quantities, locations of purchasers, terms and conditions of sale or delivery, or other factors. Such price differentials are "customary" if the dealer has regularly granted discounts, allowances or price differentials to one or more purchasers which he has not regularly granted to others.

(4) If solid fuel is sold under contract awarded the dealer in public competitive bidding, the ceiling price shall be the dealer's ceiling price for the most nearly like sale to a purchaser of the commercial class.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 3 to Supplementary Regulation 2, Revision 1 to the General Ceiling Price Regulation shall become effective February 18, 1952.

EDWARD F. PHELPS, Jr.,
Acting Director of Price Stabilization.

FEBRUARY 12, 1952.

[F. R. Doc. 52-1863; Filed, Feb. 12, 1952; 4:00 p. m.]

[General Ceiling Price Regulation, Amdt. 1 to Supplementary Regulation 17]

GCPR, SR 17—Exemption of Sales of Timber (Stumpage)

Exemption of Sales of Timber (Stumps)

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (16 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Supplementary Regulation 17 to General Ceiling Price Regulation is hereby issued.

Statement of Considerations

Supplementary Regulation 17 to the General Ceiling Price Regulation presently exempts from the operation of the General Ceiling Price Regulation sales, leases, licenses, or other contractual obligations pertaining to the right of a person to sever timber (stumpage) from the land of another person. This amendment adds stumps to the exempting language of Supplementary Regulation 17.

From the standpoint of price control, the problems involved in the pricing of stumps are the same as those involved in the pricing of stumpage. No two tracts of timber have identical physical characteristics; and, moreover, there is a wide variation in the timber characteristics and values in any single tract. For these reasons, uniform, equitable valuations are extremely difficult, and the determination of prices imposes an impracticable administrative burden at this time. Therefore, it has been determined that the sale of stumps should be exempted from the provisions of the General Ceiling Price Regulation. The exemption of stumps from price control will have no appreciable effect upon the cost of living or upon the national defense effort.

In view of the nature of this amendment, and because the action is taken in response to industry representations, formal consultation with industry representatives has been deemed to be neither practical nor necessary. However, in the preparation of this amendment, consultation was held with individual industry representatives and consideration was given to their recommendations.

Amendatory Provisions

Supplementary Regulation 17 to the General Ceiling Price Regulation is amended in the following respects:

1. Section 1 is amended by inserting the words "and stumps" after the word "(stumpage)" so that section 1 reads as follows:

Section 1. *What this supplementary regulation does.* The purpose of this supplementary regulation is to exempt sales of timber (stumpage) and stumps from the provisions of the General Ceiling Price Regulation.

2. Section 3 is amended by inserting the words "or stumps, or both," the word "(stumpage)," and deleting the words "from the stump," so that section 3 reads as follows:

Sec. 3. *Exemption.* On and after the effective date of this supplementary regulation, the provisions of the General Ceiling Price Regulation shall not apply to sales, leases, licenses or other contractual obligations pertaining to the right of a person to sever timber (stumpage) or stumps, or both, on the land of another person: *Provided, however,* That the records of such transactions be maintained pursuant to section 16 of the General Ceiling Price Regulation.

3. Section 4 is amended in the following respects:

A new definition is added, as follows:

(b) "Stump" means the residue of a tree after it has been severed from the stem or trunk.

Paragraph (b) is relettered as paragraph (c), so that section 4 reads as follows:

Sec. 4. *Definitions.* When used in this supplementary regulation, the terms:

(a) "Timber" (stumpage) means a tree whether green or dead, standing or down, of all species, classes and sizes where the tree has not been severed from the stump.

(b) "Stump" means the residue of the tree after it has been severed from the stem or trunk.

(c) "Person" means an individual, corporation, partnership, association, or any other organized group of persons, or legal successor, or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government or any of its political subdivisions, or any agency of the foregoing.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 1 to Supplementary Regulation 17 to the General Ceiling Price Regulation shall become effective February 18, 1952.

Edward F. Phelps, Jr.,
Acting Director of Price Stabilization.

February 12, 1952.

[F. R. Doc. 52-1862; Filed, Feb. 12, 1952; 10:18 a. m.]

[Ceiling Price Regulation 113, Revision 1, Amdt. 2]

CPR 113—White Flesh Potatoes

Washing Allowance

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 2 to Ceiling Price Regulation 113, Revision 1, is hereby issued.

Statement of Considerations

This amendment provides a special allowance of 20 cents per cwt. for washed storage potatoes. "Storage potatoes" are defined as those potatoes harvested before December 31, 1951. This washing allowance is applicable to all grades and sizes of storage potatoes and is uniform for all sections of the country. Shortly after the issuance of the white potato regulation, CPR 113, Revision 1, many segments of the potato industry represented that such a special allowance was necessary. Therefore, OPS obtained and analyzed data from different sources indicating that 20 cents per cwt. is an appropriate allowance on a Nation-wide basis. OPS believes that, on the basis of the data currently available, one overall allowance is most practicable. This amendment also provides a definition of "washed potatoes" which conforms to industry practice.

No special washing allowance is granted for new potatoes since the present marketing allowance between the farm gate and country shipping point levels is sufficient to cover the lower costs involved in the washing of new potatoes. Historically, new potatoes have presented special packing and economic problems and have ordinarily been washed. Since these reasons are still present, and since the prices do include a washing allowance, it is believed that this desirable practice will be continued. If, however, the practice is discontinued to any significant degree, consideration will be given to an amendment which will discount unwashed new potatoes.

Before issuing this amendment, the Director of Price Stabilization consulted extensively with representatives of the industry and gave full consideration to their recommendations. In addition, the Director sought and obtained expert assistance from other governmental agencies. It is believed that the provisions of this amendment are generally fair and equitable and necessary to effectuate the purposes of the Defense Production Act of 1950, as amended.

Amendatory Provisions

Ceiling Price Regulation 113, Revision 1, is amended in the following respects:

1. The second sentence of the first paragraph of section 2 is amended to read as follows: "You shall then determine your 'adjusted base price' by adding to or subtracting from your base price as indicated, certain grade, size and washing differentials."

2. The first sentence of section 2 (b) is amended to read as follows:

(b) *Adjusted base price.* To find your adjusted base price, you adjust your base price as determined under paragraph (a) of this section by the grade, size and washing adjustments set forth in Table II below: * * *

3. The heading of Table II in section 2 (b) is amended to read as follows: "Table II—Grade, Size and Washing Adjustments."

4. Table II in section 2 (b) is amended by adding at the end thereof a new paragraph to read as follows:

(c) Washing (applies to all grades and sizes): Washed potatoes as defined in section 10 (u) of this regulation. This allowance applies to storage potatoes only. "Storage potatoes" are defined in section 10 (v). Amount to be applied per hundredweight: Add 20 cents.

5. Section 4 is amended to read as follows:

Sec. 4. *Grade, size, washing and packaging differentials.* If you are a person other than a "purveyor" as defined in section 10 (p) of this regulation and you grade, size, wash, or package potatoes at

a point subsequent to the country shipping point, you may adjust your ceiling price in accordance with Tables II and III of paragraph (c) of section 2 of this regulation provided such differentials have not previously been applied by any seller.

6. Section 10 is amended by adding two new paragraphs at the end thereof to read as follows:

(u) "Washed potatoes" means potatoes which have been cleaned by water by special washing equipment either of the spray or brush type or the vat and tumble type and meet the requirements of "generally fairly clean." "Fairly clean" has the meaning ascribed thereto in the U. S. Standards for Potatoes (7 CFR 51.366), and "generally", when used in conjunction with "fairly clean" in this paragraph, means that at least 90 percent of the washed potatoes in each shipment meet the requirements of "fairly clean."

(v) "Storage potatoes" means potatoes harvested before December 31, 1951.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. The effective date of this amendment is February 11, 1952.

EDWARD R. PHELPS, Jr.,
Acting Director of Price Stabilization.

FEBRUARY 11, 1952.

[F. R. Doc. 52-1845; Filed, Feb. 11, 1952; 4:36 p. m.]

Chapter XV—Federal Reserve System

[Regulation X, Interpretation 42]

REG. X—REAL ESTATE CREDIT

INT. 42—MAXIMUM MATURITY IN REFINANCING

A Federal Reserve Bank recently asked whether the owner of new residential construction may refinance credit outstanding with respect to the property for a term equal to the maximum maturity permitted by Regulation X. For example, if the property was purchased in November 1950 and the borrower is refinancing the credit in January 1952, may the refinanced credit have a maturity of twenty years?

After considering this request in the light of the principle stated in Interpretation 41 (17 F. R. 401), i. e., that the maximum permissible maturity of credit extended to the purchaser should be calculated from the time of resale, the Board replied to the above inquiry as follows: "Principle stated in Interpretation 41 applies also to refinancing where borrower is original owner of property. This assumes, of course, that refinancing does not reflect evasive side agreement which would permit final maturity to be deferred beyond date permitted at time credit was originally extended."

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interprets or applies sec. 602, 64 Stat. 813, as amended; 50 U. S. C. App. Sup. 2132; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.)

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
[SEAL] S. R. CARPENTER,
Secretary.

[F. R. Doc. 52-1752; Filed, Feb. 12, 1952; 8:46 a. m.]

Chapter XXI—Office of Rent Stabilization, Economic Stabilization Agency

[Rent Regulation 1, Amdt. 23 to Schedule A]

[Rent Regulation 2, Amdt. 21 to Schedule A]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE A—DEFENSE-RENTAL AREAS

MONTANA AND WASHINGTON

These amendments are issued as a result of joint certifications pertaining to critical defense housing areas by the Secretary of Defense and the Director of Defense Mobilization under section 204 (l) of the Housing and Rent Act of 1947, as amended, and a determination as to the relaxation of real estate construction credit controls under section 204 (m) of said act.

Effective February 13, 1952, Rent Regulation 1 and Rent Regulation 2 are amended so that the items of Schedule A read as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 8th day of February 1952.

WILLIAM G. BARR,
Acting Director of Rent Stabilization.

State and name of defense-rental area	Class	County or counties in defense-rental area under regulation	Maximum rent date	Effective date of regulation
Montana				
(175) Great Falls	B	Cascade	Mar. 1, 1942	Nov. 1, 1942
	C	In Cascade County, school districts 1, 5, 8, 9, 10, 17, 24, 25, 29, 48, 50, 52, 71, 72, 73, 74, 85, and 93.	Sept. 1, 1950	Feb. 14, 1952
Washington				
(351) Port Townsend	A	In Jefferson County, the precincts of Center, Chimacum, Coyle, Gardiner, Hadlock, Irondale, Leland, Nordland, Port Discovery, Port Ludlow, Quilcene, Tarboo, Woodman and all Port Townsend precincts.	Feb. 1, 1951	Feb. 13, 1952

[F. R. Doc. 52-1771; Filed, Feb. 12, 1952; 8:48 a. m.]

[Rent Regulation 1, Amdt. 24 to Schedule A]

[Rent Regulation 2, Amdt. 22 to Schedule A]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE A—DEFENSE-RENTAL AREAS

ILLINOIS AND INDIANA

Effective February 13, 1952, Rent Regulation 1 and Rent Regulation 2 are amended as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 8th day of February 1952.

WILLIAM G. BARR,
Acting Director of Rent Stabilization.

1. Schedule A, Item 83, is amended to describe the counties in the defense-rental area as follows:

Cook County, except the Cities of Berwyn, Blue Island, Calumet City, Chicago Heights, Des Plaines, Harvey, Park Ridge, and that portion of the City of Elgin located therein, and the Villages of Arlington Heights, Bartlett, Brookfield, Burnham, Calumet Park, Dolton, East Hazelcrest, Flossmoor, Franklin Park, Glencoe, Glenview, Hazelcrest, Homewood, Kenilworth, La Grange, La Grange Park, Lansing, Lyons, Markham, Matteson, Mt. Prospect, Northfield, Oak Forest, Orland Park, Palatine, Phoenix, Riverdale, River Forest, Riverside, South Holland, Tinley Park, Westchester, Western Springs, Wheeling, Wilmette, Winnetka, and those portions of the Villages of Barrington, Hinsdale, and Steger located therein; Du Page County, except the Cities of Elmhurst, Naperville, West Chicago and Wheaton, and the Villages of Bensenville, Glen Ellyn, Itasca, Roselle, Villa Park and Winfield, and that portion of the Village of Hinsdale located therein; Kane County, except that portion of the City of Elgin located therein, the Cities of Batavia, Geneva and St. Charles, and the Villages of East Dundee, Hampshire, South Elgin and West Dundee; and Lake County, except the City of Lake Forest, the Villages of Deerfield and Grayslake, and that portion of the Village of Barrington located therein.

This decontrols the Village of Hampshire in Kane County, Illinois, a portion of the Chicago, Illinois, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

2. In Schedule A, Item 104 is amended to read as follows:

(104) (Revoked and decontrolled.)

This decontrols the remainder of the Lafayette, Indiana, Defense-Rental Area, consisting of the remaining portion of Tippecanoe County, Indiana, on the initiative of the Director of Rent Stabilization in accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended.

[F. R. Doc. 52-1772; Filed, Feb. 12, 1952; 8:48 a. m.]

[Rent Regulation 3, Amdt. 40 to Schedule A]

RR 3—HOTELS

SCHEDULE A—DEFENSE-RENTAL AREAS

MONTANA AND WASHINGTON

This amendment is issued as a result of joint certifications pertaining to critical defense housing areas by the Secretary of Defense and the Director of Defense Mobilization under section 204 (1) of the Housing and Rent Act of 1947, as amended, and a determination as to the relaxation of real estate construction credit controls under section 204 (m) of said act.

Effective February 13, 1952, Rent Regulation 3 is amended so that the items of Schedule A read as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 8th day of February 1952.

WILLIAM G. BARR,
Acting Director of Rent Stabilization.

Name of defense-rental area	State	County or counties in defense-rental area under regulation	Maximum rent date	Effective date of regulation
(173) Great Falls	Montana	In Cascade County, school districts 1, 5, 8, 9, 10, 17, 24, 25, 29, 48, 50, 52, 71, 72, 73, 74, 85 and 93.	Sept. 1, 1950	Feb. 14, 1952
(351) Port Townsend	Washington	In Jefferson County, the precincts of Center, Chimacum, Coyle, Gardiner, Hadlock, Irondale, Leland, Nordland, Port Discovery, Port Ludlow, Quilcene, Tarboo, Woodman and all Port Townsend precincts.	Feb. 1, 1951	Feb. 13, 1952

[F. R. Doc. 52-1773; Filed, Feb. 12, 1952; 8:48 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 130]

OPERATION AND MAINTENANCE CHARGES ON WIND RIVER INDIAN IRRIGATION PROJECT, WYOMING

CHARGES

FEBRUARY 5, 1952.

Pursuant to section 4 (a) of the Administrative Procedure Act of June 11, 1946 (Pub. Law 404, 79th Cong., 60 Stat. 238), and authority contained in the acts of Congress approved August 1, 1914; May 18, 1916; March 7, 1928 (38 Stat. 583, 25 U. S. C. 385; 39 Stat. 1942; 45 Stat. 210, 25 U. S. C. 387), and by virtue of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs August 28, 1946, and by virtue of authority delegated by the Commissioner of Indian Affairs to the Regional Director September 10, 1946 (11 F. R. 10267), notice is hereby given of intention to modify § 130.95 of Title 25, Code of Federal Regulations, dealing with irrigable lands of the Wind River Indian Irrigation Project, to read as follows:

§ 130.95 *Charges.* In compliance with the provisions of the acts of August 1, 1914 and March 7, 1928 (38 Stat. 583, 25 U. S. C. 385; 45 Stat. 210, 25 U. S. C. 387), the operation and maintenance charges for the lands under the Wind River irrigation project, Wyoming, for the calender year 1952 and subsequent years until further notice, are hereby fixed at $2.00 per acre for the assessable area under the constructed works on the Diminished Wind River Project and on the Ceded Wind River Project; except in the case of all irrigable trust patent Indian land which lies within the Ceded Reservation and which is benefited by the Big Bend Drainage District where an additional assessment of $0.45 (45 cents) per acre is hereby fixed.

Interested persons are hereby given opportunity to participate in preparing the proposed amendments by submitting their views and data or arguments, in writing, to the Area Director Bureau of Indian Affairs, Billings, Montana, within 30 days from the date of publication of this notice of intention in the daily issue of the FEDERAL REGISTER.

PAUL L. FICKINGER,
Area Director.

[F. R. Doc. 52-1767; Filed, Feb. 12, 1952; 8:47 a. m.]

DEPARTMENT OF AGRICULTURE

Bureau of Entomology and Plant Quarantine

[7 CFR Part 301]

SWEETPOTATOES; PUERTO RICO

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) that the Secretary of Agriculture, pursuant to section 8 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161), is considering amending the Domestic Sweetpotato Quarantine (Quarantine No. 30, Revised; 7 CFR 301.30) by adding at the end thereof a proviso reading as follows:

Provided, however, That this prohibition shall not apply to the movement from Puerto Rico of sweetpotatoes which the Chief of the Bureau of Entomology and Plant Quarantine may authorize under permit or certificate, to such northern ports of the United States as he may designate in such permit or certificate, conditioned upon the fumigation of such sweetpotatoes under the supervision of an inspector of said Bureau either in Puerto Rico or at the designated port of arrival, in a manner approved by the said Chief of Bureau.

The purpose of this amendment is to authorize the movement of Puerto Rican sweetpotatoes to northern ports of the United States, provided such sweetpotatoes have been fumigated in Puerto Rico or are to be fumigated upon arrival at a northern port. Methods of fumigating sweetpotatoes have been developed and are in use in those States now infested with the sweetpotato weevil (*Cylas formicarius elegantulus* (Sum.)). Evidence is available indicating that these methods would likewise be effective in the case of sweetpotatoes of Puerto Rican origin.

All persons who desire to submit written data, views, or arguments in connection with this matter should file the same with the Chief of the Bureau of Entomology and Plant Quarantine, Agricultural Research Administration, United States Department of Agriculture, Washington 25, D. C., within 15 days after the date of the publication of this notice in the FEDERAL REGISTER.

(Sec. 8, 37 Stat. 318, as amended 7 U. S. C. 161)

Done at Washington, D. C., this 7th day of February 1952.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 52-1754; Filed, Feb. 12, 1952; 8:46 a. m.]

CIVIL AERONAUTICS BOARD

[14 CFR Part 21]

AERONAUTICAL EXPERIENCE REQUIREMENT FOR AIRLINE TRANSPORT PILOT RATING

NOTICE OF PROPOSED RULE MAKING

Pursuant to authority delegated by the Civil Aeronautics Board to the Bureau of Safety Regulation, notice is hereby given that the Bureau will propose to the Board an amendment to Part 21 of the Civil Air Regulations in substance as hereinafter set forth.

Interested persons may participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington 25, D. C. In order to insure their consideration by the Board before taking further action on the proposed rule, communications must be received by February 29, 1952. Copies of such communications will be available after March 4, 1952, for examination by interested persons at the Docket Section of the Board, Room 5412, Commerce Building, Washington, D. C.

At the present time § 21.16 of Part 21 of the Civil Air Regulations provides that an applicant for an airline transport pilot rating shall have had 250 hours as pilot in command within 8 years of the time of application for such rating. In

effect, two classes of air carrier copilots are thereby prevented from obtaining such a rating without undue hardship and expense; first, copilots who obtained their pilot-in-command time prior to eight years of copilot employment, and second, those who have not obtained a total of 250 hours as pilot in command during their entire flying careers.

The present regulations do not allow a copilot to log time as pilot in command even when he is sole manipulator of the controls. Therefore, though many of these copilots are eminently qualified to obtain airline transport pilot ratings, they cannot meet the pilot-in-command requirement. This is a particular hardship to those who have 250 hours as pilot in command, some or all of which was obtained more than eight years before application for the rating. Such pilots are now unable to meet the requirement, although their experience and skill have increased.

The Bureau is of the opinion that the experience and training gained while copilots on air carrier aircraft qualifies even those who have not obtained a total of 250 hours as pilot in command for airline transport pilot ratings. The burden, financial or otherwise, of requiring either class of pilots to obtain 250 hours as pilot in command within eight years of the date of application for such a rating does not seem justified when the possible increase in pilot competency is considered.

Accordingly, it is proposed to delete the requirement that pilot-in-command time be obtained within eight years of the time of application for an airline transport pilot rating, and further provide that copilot time when performing all the duties of a pilot in command under the surveillance of the pilot in command may be substituted in lieu of actual pilot-in-command time. Thus, time as acting plane commander may be used to fulfill pilot-in-command time requirements.

The United States, as a member of the International Civil Aviation Organization (ICAO), is required to conform to the rules and regulations of that body. Under the provisions of Article 39 of the Convention on International Civil Aviation, airman licenses issued at the present time must be endorsed to show in what way the holder does not meet international standards if, in fact, any are not met. As international standards for an airline transport pilot rating will not be met by less than 250 hours of actual pilot-in-command time, an applicant who cannot meet such requirement must have his certificate appropriately endorsed until such time as he does meet the requirement. Such an endorsement affects only his right to act as first pilot in international air navigation. Although an individual with a certificate so endorsed must receive the permission of the foreign countries whose territory is entered, he nevertheless holds an unrestricted certificate insofar as domestic United States air transportation is concerned.

Several States which are members of ICAO have experienced similar difficulties in the licensing of airline transport pilots, and a proposal is now being considered by the Personnel Licensing Division of ICAO to modify pilot-in-command time requirements along the general lines provided for herein. Adoption of such a proposal would make unnecessary the restrictive endorsement of certificates as provided for in paragraph (c) of the following proposed rule. In the event that the official position of ICAO is fixed before the rule hereby proposed is adopted, the rule as promulgated will reflect such action.

It is therefore proposed to amend Part 21 of the Civil Air Regulations as follows:

By amending § 21.16 to read as follows:

§ 21.16 *Aeronautical experience.* An applicant for an airline transport pilot rating shall hold a valid commercial pilot rating, or equivalent as determined by the Administrator, and shall meet the following aeronautical experience requirements:

(a) Applicant shall have had at least 250 hours of flight time composed of time as pilot in command, or time as copilot actually performing the duties and functions of a pilot in command under the surveillance of the pilot in command, or any combination thereof. Of this time, at least 100 hours shall have been cross-country flight time, and at least 25 hours shall have been night flight time. Flight time shown in fulfillment of the requirements of this paragraph may also be used for the purposes of paragraph (b) of this section.

(b) Applicant shall have had at least 1,200 hours of flight time as pilot within the last eight years, of which

(1) 5 hours shall have been had within 60 days immediately preceding the date of application;

(2) 500 hours shall have been cross-country flight time;

(3) 100 hours shall have been night flight time;

(4) 75 hours shall have been instrument time under actual or simulated instrument conditions of which not less than 50 hours shall have been in actual flight.

(c) An applicant who meets the requirements of paragraph (a) of this section with other than 250 hours of pilot-in-command time shall have his certificate appropriately endorsed by the Administrator in accordance with Article 39 of the Convention on International Civil Aviation. At such time as the holder of a certificate so endorsed submits reliable documentary evidence to the Administrator that he has met the requirements of paragraph (a) of this section, taking into account only time as pilot in command, he shall be reissued a certificate without such endorsement.

NOTE: By the terms of Article 40 of the Convention on International Civil Aviation, no person having a certificate endorsed in accordance with the foregoing provision may participate in international navigation as pilot in command except with the permission of the State or States whose territory is entered.

This amendment is proposed under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended. The proposal may be changed in the light of comments received in response to this notice of proposed rule making.

(Sec. 205 (a), 52 Stat. 984; 49 U. S. C. 425 (a). Interpret or apply secs. 601–610, 52 Stat. 1007–1012; 49 U. S. C. 501–510; 62 Stat. 1216)

Dated: February 8, 1952, at Washington, D. C.

By the Bureau of Safety Regulation.

[SEAL] JOHN M. CHAMBERLAIN,
Director.

[F. R. Doc. 52-1770; Filed, Feb. 12, 1952; 8:48 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

NEW MEXICO

STOCK DRIVEWAY WITHDRAWALS NOS. 61 AND 81, NEW MEXICO NOS. 10 AND 12, REDUCED; CORRECTION

FEBRUARY 4, 1952.

The order of January 9, 1952 (17 F. R. 532, 533), reducing Stock Driveway Withdrawals Nos. 61 and 81, New Mexico Nos. 10 and 12, is hereby corrected as follows:

In the second paragraph of said order the date February 6, 1919 is corrected to read February 4, 1919 and the date April 27, 1919 is corrected to read April 29, 1919.

E. R. SMITH,
Regional Administrator.

[F. R. Doc. 52-1765; Filed, Feb. 12, 1952; 8:47 a. m.]

[Misc. 55182]

NEVADA

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

FEBRUARY 7, 1952.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976, 43 U. S. C. sec. 315g), the following described lands have been reconveyed to the United States:

MOUNT DIABLO MERIDIAN

T. 27 N., R. 18 E.,
Sec. 27, N½SW¼, SW¼SW¼.
T. 33 N., R. 56 E.,
Sec. 5;
Sec. 7;
Sec. 21;
Sec. 27;
Sec. 29, E½, SW¼.
T. 47 N., R. 59 E.,
Sec. 13, lots 1, 2, 3 and 4,

T. 47 N., R. 60 E.,
Sec. 7, lot 4, SE¼SW¼;
Sec. 18, lots 1, 2, 3 and 4, E½W½, W½SE¼.

The areas described aggregate 3,846.20 acres.

The lands are primarily suitable for grazing.

No applications for these lands may be allowed under the homestead, small tract, desert-land, or any other nonmineral public-land laws, unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon consideration of an application.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, and selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this order shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279–284), as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this order shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this order, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this order, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land and Survey Office, Reno, Nevada, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land and Survey Office, Reno, Nevada.

WILLIAM PINCUS,
Assistant Director.

[F. R. Doc. 52-1763; Filed, Feb. 12, 1952; 8:46 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 4052 et al.]

MID-WEST AIRLINES, INC.; CERTIFICATE RENEWAL CASE

NOTICE OF POSTPONEMENT OF ORAL ARGUMENT

In the matter of the application of Mid-West Airlines, Inc., for renewal of its temporary certificate of public convenience and necessity.

Notice is hereby given that oral argument in the above-entitled proceeding is postponed from February 26 to February 28, 1952, at 10:00 a. m., e. s. t., in Room 5042, Commerce Building, Constitution Avenue, between Fourteenth and Fifteenth Streets NW., Washington, D. C., before the Board.

Dated at Washington, D. C., February 8, 1952.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 52-1769; Filed, Feb. 12, 1952; 8:47 a. m.]

[Docket No. 4852 et al.]

EMPIRE AIR LINES, INC., AND UNITED AIR LINES, INC.; CERTIFICATE RENEWAL CASE

NOTICE OF ORAL ARGUMENT

In the matter of the renewal of the temporary certificate of public convenience and necessity for Route No. 78 held by Empire Air Lines, Inc., and the suspension of the certificate of public convenience and necessity for Route No. 1 held by United Air Lines, Inc., insofar as it authorizes service to Spokane, Walla Walla, and/or Pendleton.

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding is assigned to be held on March 6, 1952, at 10:00 a. m., e. s. t., in Room 5042, Commerce Building, Constitution Avenue, between Fourteenth and Fifteenth Streets NW., Washington, D. C., before the Board.

Dated at Washington, D. C., February 8, 1952.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 52-1768; Filed, Feb. 12, 1952; 8:47 a. m.]

DEFENSE MATERIALS PROCUREMENT AGENCY

[Delegation No. 6]

DEPUTY ADMINISTRATOR ET AL.

DELEGATION OF AUTHORITY TO ADMINISTER DMA ORDER MO-7, NPA DELEGATION NO. 14, AS AMENDED, AND NPA ORDER M-78, AS AMENDED

1. Pursuant to the Defense Production Act of 1950, as amended, (Pub. Law 774, 81st Cong., and Pub. Laws 69 and 96, 82d Cong.) and Executive Order No. 10281 of August 28, 1951 (16 F. R. 8789), there is hereby delegated to the following officers of Defense Materials Procurement Agency:

The Deputy Administrator;
The Assistant Deputy Administrator; and as the interest of each may appear,
The Director, Mining Requirements Division;
The Deputy Director, Mining Requirements Division;
The Director, Domestic Expansion Division;

the authority to perform the administrative functions required to administer DMA Order MO-7, NPA Delegation No. 14, as amended, and NPA Order M-78, as amended, such functions to include the signing and issuance of documents granting priorities assistance, quota adjustments, and allocations of materials covered by NPA Delegation No. 5, as revised, and listed in column 1 of Appendix A thereof, as such orders and delegations pertain to the functions of DMPA under any authority.

2. The authority delegated herein may not be redelegated.

3. This delegation is effective as of the date hereof.

Dated: February 9, 1952.

JESS LARSON,
Defense Materials Procurement Administrator.

[F. R. Doc. 52-1867; Filed, Feb. 12, 1952; 11:31 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6401]

CAROLINA POWER & LIGHT CO. AND TIDE WATER POWER CO.

NOTICE OF ORDER AUTHORIZING MERGER OR CONSOLIDATION OF FACILITIES

FEBRUARY 7, 1952.

Notice is hereby given that, on February 6, 1952, the Federal Power Commission issued its order, entered February 5, 1952, authorizing merger or consolidation of facilities in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-1748; Filed, Feb. 12, 1952; 8:45 a. m.]

[Docket No. G-1792]

TEXAS EASTERN TRANSMISSION CORP. AND TRANSCONTINENTAL GAS PIPE LINE CORP.

NOTICE OF FINDINGS AND ORDER

FEBRUARY 7, 1952.

Notice is hereby given that, on February 5, 1952, the Federal Power Commission issued its order, entered February 5, 1952, issuing a certificate of public convenience and necessity in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-1749; Filed, Feb. 12, 1952; 8:45 a. m.]

[Docket No. G-1841]

EL PASO NATURAL GAS CO.

NOTICE OF FINDINGS AND ORDER

FEBRUARY 7, 1952.

Notice is hereby given that, on February 6, 1952, the Federal Power Commission issued its order, entered February 5, 1952, issuing a certificate of public convenience and necessity in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-1750; Filed, Feb. 12, 1952; 8:45 a. m.]

[Docket Nos. G-1847, G-1772, G-1849, G-1852, G-1853, G-1869, G-1879]

TEXAS GAS TRANSMISSION CORP. ET AL.

ORDER CONSOLIDATING PROCEEDINGS AND FIXING DATE OF HEARING

FEBRUARY 6, 1952.

In the matters of Texas Gas Transmission Corporation, Docket No. G-1847; Ohio River Pipeline Corporation, Docket No. G-1772; Louisville Gas and Electric Company, Docket No. G-1849; Louisiana Natural Gas Corporation, Docket No. G-1852; Texas Northern Gas Corporation, Docket No. G-1853; United Gas Pipe Line Company, Docket No. G-1869 and G-1879.

On January 24, 1952, United Gas Pipe Line Company (United) a Delaware Corporation with its principal place of business at Shreveport, Louisiana, filed at Docket No. G-1879, an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain natural-gas transmission pipe-line facilities and the transportation and sale of natural gas, subject to the jurisdiction of the Commission, as described in the application on file with the Commission and open to public inspection.

On January 16, 1952, the Commission issued an order consolidating the proceedings upon the applications of Texas Gas Transmission Corporation at Docket No. G-1847, Ohio River Pipeline Corporation at Docket No. G-1772, Louisville Gas and Electric Company at Docket No. G-1849, Louisiana Natural Gas Corporation at Docket No. G-1852, Texas Northern Gas Corporation at Docket No. G-1853, and United Gas Pipe Line Company at Docket No. G-1869 for purpose of hearing, such hearing to commence at a date and place to be fixed by further order of the Commission.

United by its application at Docket No. G-1879 proposes to construct and operate additional compression facilities designed to increase the capacity of its 30-inch pipe line extending from Napoleonville (Louisiana) to Kosciusko (Mississippi), as authorized In the Matter of United Gas Pipe Line Company, Docket No. G-1447, by approximately 100,000 Mcf of gas per day and to transport and sell the gas so made available to Southern Natural Gas Company pursuant to the terms of a contract attached to a precedent agreement dated May 7, 1951, entered into by the parties.

United by its application at Docket No. G-1869 proposes to supply a substantial portion of the natural gas required by Texas Gas Transmission Corporation to provide the service the latter proposes at Docket No. G-1847.

In its application at Docket No. G-1869 and G-1879, United avers that it will obtain the gas supply for the services proposed from gas reserves presently connected to its system and which have been considered in proceedings, among others, at Docket Nos. G-1447 and G-1681, as well as from additional reserves acquired by United since the time of the hearing upon the application at Docket No. G-1681.

The applications at Docket Nos. G-1869 and G-1879 are both dependent upon these general gas reserves which are relied upon by United in connection with an issue involved in proceedings upon applications for certificates of public convenience and necessity, viz., whether United possesses a supply of natural gas adequate to meet those demands which it is reasonable to assume will be made upon it.

The Commission finds: Proceedings upon the application at Docket No. G-1879 should be consolidated for purpose of hearing with the proceedings upon the application at Docket Nos. G-1847, G-1772, G-1849, G-1852, G-1853, and G-1869.

The Commission orders:

(A) The proceedings at Docket No. G-1879 and at Docket Nos. 1847, G-1772, G-1849, G-1852, G-1853, and G-1869 be and the same hereby are consolidated for purpose of hearing.

(B) Pursuant to authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a public hearing be held in these consolidated proceedings commencing on February 26, 1952, at 10:00 a. m., e. s. t., in the Commission's Hearing Room, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by the aforesaid applications and other pleadings, including intervening petitions.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: February 7, 1952.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-1745; Filed, Feb. 12, 1952; 8:45 a. m.]

[Docket No. G-1859]

CONSOLIDATED GAS UTILITIES CORP.

ORDER FIXING DATE OF HEARING

FEBRUARY 6, 1952.

On December 21, 1951, Consolidated Gas Utilities Corporation (Consolidated), a Delaware corporation having its principal place of business at the Braniff Building, Oklahoma City, filed an application, as supplemented on January 14, 30, 1952, for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the construction, acquisition, and operation of certain natural-gas facilities, as fully described in said application, as supplemented, now on file with the Commission and open for public inspection.

Consolidated has requested that this application be heard under the shortened procedure provided for by § 1.32 (b) of the Commission's rules of practice and procedure. No request to be heard or protest has been filed subsequent to giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on January 10, 1952 (17 F. R. 327).

Consolidated states, in its supplemented application, that a large portion of its natural-gas requirements is now being supplied by the Shell Oil Company from the Elk City field in Oklahoma; that the gas purchase contract under which natural gas is obtained from Shell Oil Company will expire on March 31, 1952; that the contract with Shell Oil Company cannot be renewed; and that the facilities with respect to which authorization is herein sought, will be needed to obtain a natural-gas supply for service to its existing customers.

Consolidated further states that in order to complete the proposed construction and have the proposed facilities ready for operation by March 31, 1952, it will be necessary for the construction to begin on or about February 15, 1952.

The Commission finds:

(1) This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure.

(2) It is reasonable and in the public interest and good cause exists for fixing the date of hearing in this proceeding less than 15 days after publication of this order in the FEDERAL REGISTER.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a public hearing be held on February 15, 1952, at 9:45 a. m., e. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by the application, as supplemented: *Provided, however,* That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: February 7, 1952.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-1746; Filed, Feb. 12, 1952; 8:45 a. m.]

[Docket No. G-1879]

UNITED GAS PIPE LINE CO.

NOTICE OF APPLICATION

FEBRUARY 7, 1952.

Take notice that United Gas Pipe Line Company (Applicant), a Delaware corporation with its principal place of business at Shreveport, Louisiana, filed on January 24, 1952, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act authorizing the construction and operation of certain natural-gas transmission pipeline facilities hereinafter described.

Applicant proposes to construct and install the following:

(1) Napoleonville Compressor Station, Assumption Parish, Louisiana, located at the junction of Applicant's 30-inch line serving the fields offshore in the Gulf of Mexico and the 26-inch line which originates at Lirette Field, with an aggregate installed horsepower of 5,280.

(2) Jackson Compressor Station adjacent to Applicant's existing compressor station near Jackson, Mississippi, with an aggregate installed horsepower of 8,000.

(3) Three (3) 1,600 horsepower additional compressor units to the authorized Montpelier (formerly Livingston) Compressor Station to be located 2 miles south of Montpelier, St. Helena Parish, Louisiana.

(4) Two (2) 1,600 horsepower additional compressor units to the authorized McComb (formerly Verna) Compressor Station, Walthall County, Mississippi, to be located at the intersection of Applicant's 30-inch Napoleonville-Kosciusko (Mississippi) line and the 24-inch line to Baxterville.

(5) A meter station, together with appurtenances ,near the end of the 30-inch Napoleonville-Kosciusko line in Attala County, Mississippi.

By means of such facilities, Applicant proposes to increase the capacity of the authorized Napoleonville-Kosciusko line by approximately 100,000 Mcf of gas per day, and to transport and sell the gas so made available to Southern Natural Gas Company, pursuant to the terms of a contract attached to precedent agreement dated May 7, 1951, entered into between the parties.

The estimated overall capital cost of the proposed facilities is approximately $5,764,000.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.10) on or before the 25th day of February 1952.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-1747; Filed, Feb. 12, 1952; 8:45 a. m.]

[Docket Nos. ID-1166-1170]

GEORGE A. BENINGTON ET AL.

NOTICE OF ORDERS AUTHORIZING APPLICANTS TO HOLD CERTAIN POSITIONS

FEBRUARY 7, 1952.

In the matters of George A. Benington, Docket No. ID-1166; George M. Schurman, Docket No. ID-1167; Arthur B. Richardson, Docket No. ID-1168; Harold F. Butler, Docket No. ID-1169; J. Lee Rice, Jr., Docket No. ID-1170.

Notice is hereby given that, on February 6, 1952, the Federal Power Commission issued its orders, entered February 5, 1952, authorizing applicants to hold certain positions, pursuant to section 305 (b) of the Federal Power Act in the above-entitled matters.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-1751; Filed, Feb. 12, 1952; 8:45 a. m.]

[Docket No. E-6410]

BLACK HILLS POWER AND LIGHT CO.

NOTICE OF APPLICATION

FEBRUARY 11, 1952.

Take notice that on February 8, 1952, an application was filed with the Federal Power Commission pursuant to section 204 of the Federal Power Act, by Black Hills Power and Light Company, a corporation organized under the laws of the State of South Dakota and doing business in the States of South Dakota and Wyoming, with its principal business office at Rapid City, South Dakota, seeking an order authorizing the issuance of 33,730 shares of Common Stock of the par value of $1 per share, and issuance of $1,000,000 principal amount of First Mortgage Bonds, Series F, 3⅞ percent, to be dated March 1, 1952, and to mature March 1, 1982. Said shares of Common Stock will be offered to the holders of presently outstanding Common Stock of applicant pro rata according to their preemptive rights with additional right of such stockholders to subscribe for such shares not taken upon the exercise of the preemptive rights. Applicant proposes to arrange with Dillon, Read & Company, Inc. for the underwriting of such shares of the Common Stock as the holders thereof may not purchase pursuant to the rights to be issued to them. The proposed First Mortgage Bonds will be purchased by the Equitable Life Assurance Society of the United States; all as more fully appears in the application on file in the Commission.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 26th day of February 1952, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-1828; Filed, Feb. 12, 1952; 8:50 a. m.]

GENERAL SERVICES ADMINISTRATION

COMMISSIONER OF PUBLIC BUILDINGS SERVICE

DELEGATION OF AUTHORITY TO PERFORM CERTAIN ACTIONS IN ABSENCE OR DISABILITY OF ADMINISTRATOR AND DEPUTY ADMINISTRATOR

1. Pursuant to the authority vested in me by section 205 (d) of the Federal Property and Administrative Services Act of 1949 (Pub. Law 152, 81st Cong.), as amended, I hereby delegate to the Commissioner of the Public Buildings Service full authority to exercise in my absence or disability and in the absence or disability of the Deputy Administrator, and only in the event of both our absences or disabilities, all of the powers, authorities, and functions vested in me as Administrator of General Services by the Federal Property and Administrative Services Act, 1949, and any other law, except those powers, authorities, and functions which can only be exercised by the Administrator or the Deputy Administrator of General Services pursuant to the provisions of section 101 (c) and 205 (d) of the Federal Property and Administrative Services Act, 1949, or pursuant to the provisions of other law.

2. The authority contained herein may not be redelegated and shall be exercised in accordance with such administrative procedures and controls as are in force on or after the effective date hereof.

3. This delegation of authority shall be effective January 31, 1952.

Dated: February 8, 1952.

JESS LARSON,
Administrator.

[F. R. Doc. 52-1868; Filed, Feb. 12, 1952; 11:46 a. m.]

HOUSING AND HOME FINANCE AGENCY

Office of the Administrator

REGIONAL REPRESENTATIVE AND REGIONAL ENGINEER, REGION 5

DELEGATION OF AUTHORITY WITH RESPECT TO DISASTER RELIEF PROGRAM

Pursuant to authority vested in me by the provisions of Executive Order 10221 of March 2, 1951 (16 F. R. 2051), relating to the furnishing of Federal assistance to States and local governments in major disasters under Public Law 875, 81st Congress (64 Stat. 1109, 42 U. S. C. 1855), as amended by Public Law 107, 82d Congress (65 Stat. 173), the Regional Representative for Region 5, Office of Administrator, Housing and Home Finance Agency, and the Regional Engineer for said Region 5, each is hereby authorized to execute proofs of loss and certificates of satisfaction on behalf of the United States with respect to any damages caused to insured trailers or related equipment thereof owned by the United States and provided for use in connection with the disaster relief program in said Region 5: *Provided, however,* That the authority delegated herein shall not include authority to compromise any such damage claims.

(Reorg. Plan No. 3 of 1947, 61 Stat. 954; 62 Stat. 1283, as amended by 64 Stat. 80, 12 U. S. C. 1701c)

This delegation shall be effective as of the 13th day of February 1952.

RAYMOND M. FOLEY,
Housing and Home Finance Administrator.

[F. R. Doc. 52-1766; Filed, Feb. 12, 1952; 8:47 a. m.]

SPECIAL REPRESENTATIVES OF HOUSING AND HOME FINANCE ADMINISTRATOR

DELEGATION OF AUTHORITY TO PERFORM FUNCTIONS IN CONNECTION WITH RELAXATION OF HOUSING CREDIT CONTROLS IN AREAS AFFECTED BY SAVANNAH RIVER (S. C. AND GA.), PADUCAH (KY.), AND REACTOR TESTING STATION (IDAHO) INSTALLATIONS OF ATOMIC ENERGY COMMISSION

The delegation of authority, effective June 20, 1951 (16 F. R. 6779), as amended, effective December 4, 1951 (16 F. R. 12407), is hereby amended to read as follows:

McClellan Ratchford (Savannah River Office, Aiken, S. C.), John McCollum (Paducah, Ky.), and Lindley R. Durkee (Idaho Falls, Idaho), Special Representatives of the Housing and Home Finance Administrator, Office of the Administrator, Housing and Home Finance Agency, each is hereby authorized, in his respective assigned area, to take any action (including the making of any determination and the approval of any application) which it is necessary or appropriate for the Housing and Home Finance Administrator to take in the administration of Housing and Home Finance Agency Regulation CR 2, 16 F. R. 11728 (1951), as now or hereafter amended, which regulation pertains to the processing and approval, for the areas affected by the Savannah River (S. C. and Ga.), Paducah (Ky.), and Reactor Testing Station (Idaho) installations of the Atomic Energy Commission, of exceptions from residential credit restrictions otherwise applicable and to the terms and conditions attached to such approval. Each of said Special Representatives is hereby authorized, in his respective assigned area, to take any action necessary with respect to one-family or two-family dwellings to release applicants or their successors in interest from their obligation under CR 2 to hold any such dwelling for rent, but only if the dwelling is to be sold to its occupant who has obtained from the Atomic Energy Commission a certificate of ownership eligibility, as provided in section 12 of CR 2, or, in the case of a vacant dwelling, if it was formerly occupied by a tenant or tenants in accordance with CR 2 and the prospective purchaser of the vacant dwelling has obtained from the Atomic Energy Commission a certificate of ownership eligibility.

Any action taken by any of the aforementioned delegates in this connection is hereby ratified, confirmed and adopted.

This delegation of authority supersedes the prior delegation (effective December 4, 1951, 16 F. R. 12407) from the Housing and Home Finance Administrator to McClellan Ratchford, John McCollum, and Phil A. Doyle.

(Reorg. Plan No. 3 of 1947, 61 Stat. 954 (1947); 62 Stat. 1268, 1283-85 (1948), 12 U. S. C. 1701c (Supp. 1949), as amended, Pub. Law 475, 81st Cong., 2d Sess., sec. 503 (1) (Apr. 20, 1950); Titles VI and VII, Pub. Law 774, 81st Cong., 64 Stat. 812-822; secs. 501, 502, and 902, E. O. 10161, Sept. 9, 1950, 15 F. R. 6106; secs. 6 (p), Reg. X, as amended, 15 F. R. 6817, 7631 (1950), 16 F. R. 308, 1585, 2078, 2575, 2969, 3345, 4466 (1951); HHFA CR 1, 16 F. R. 2231 (1951), as amended, 16 F. R. 3302, 3834 (1951); HHFA CR 2, 16 F. R. 2232 (1951), as amended, 16 F. R. 11728 (1951))

Effective as of the 13th day of February 1952.

RAYMOND M. FOLEY,
Housing and Home Finance Administrator.

[F. R. Doc. 52-1764; Filed, Feb. 12, 1952; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26784]

ASPHALT FROM ARKANSAS AND TEXAS TO CINCINNATI, OHIO

APPLICATION FOR RELIEF

FEBRUARY 8, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for the Chicago, Rock Island and Pacific Railroad Company and other carriers.

Commodities involved: Asphalt (asphaltum), natural, by-product, or petroleum, tank-car loads.

From: Points in Arkansas and Texas.

To: Cincinnati, Ohio.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: F. C. Kratzmeir's tariff I. C. C. No. 3725, Supp. 54.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 52-1762; Filed, Feb. 12, 1952; 8:46 a. m.]

RENEGOTIATION BOARD

STATEMENT OF ORGANIZATION

NOTE: This Statement of Organization supersedes the Statement of Organization published in the issue of November 28, 1951 (F. R. Doc. 51-14160; 16 F. R. 11989).

Sec.
1. Creation and authority.
2. Purpose.
3. Organization.
4. Activities.
5. Official copies.
6. Copies of the Renegotiation Board Regulations.

SECTION 1. *Creation and authority.* The Renegotiation Board was created by the Renegotiation Act of 1951 (Pub. Law 9, 82d Congress) as an independent establishment in the executive branch of the Government and was organized on October 3, 1951 to administer such act.

The Renegotiation Act of 1951 transferred to The Renegotiation Board certain powers, functions and duties conferred upon the War Contracts Price Adjustment Board by the Renegotiation Act (58 Stat. 78, as amended; 50 U. S. C. App. 1191). In addition, the Secretary of Defense delegated to The Renegotiation Board, effective January 20, 1952 (17 F. R. 736), all powers, functions and duties conferred upon the Secretary of Defense by the Renegotiation Act of 1948 (62 Stat. 259, as amended and extended; 50 U. S. C. App. 1193).

SEC. 2. *Purpose.* The objective of the Renegotiation Act of 1951 and the previous renegotiation statutes is to eliminate excessive profits derived by contractors and subcontractors in connection with the national defense program.

SEC. 3. *Organization.* (a) The Renegotiation Board is composed of five members. Each is appointed by the President by and with the advice and consent of the Senate. The Secretaries of the Army, the Navy and the Air Force, subject to the approval of the Secretary of Defense, and the Administrator of General Services each recommend to the President for his consideration one person from civilian life to serve as a member of the Board. The President designates one member to serve as Chairman. The principal office of the Board is located in the McShain Building, 333 Third Street NW., Washington 25, D. C.

(b) The Board has created four regional boards with authority to conduct renegotiation proceedings within the limits hereinafter described. Each of the regional boards is composed of a chairman and four members. The locations and territories of the regional boards are as follows:

Location and Territory

(1) Washington Regional Board, Rizik Building, 1737 L Street NW., Washington 25, D. C.: Maryland, Virginia, West Virginia, Ohio, Kentucky, Tennessee, Alabama, Georgia, Florida, South Carolina, North Carolina, Delaware.

(2) New York Regional Board, John Wanamaker Building, New York, N. Y.: Pennsylvania, New York, New Jersey, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine.

(3) Chicago Regional Board, U. S. Courthouse, 219 South Clark Street, Chicago, Ill.: North Dakota, Minnesota, South Dakota, Nebraska, Iowa, Kansas, Missouri, Oklahoma, Texas, Arkansas, Louisiana, Illinois, Indiana, Wisconsin, Michigan, Mississippi.

(4) Los Angeles Regional Board, 5504 Hollywood Boulevard, Los Angeles, Calif.: Washington, Oregon, California, Idaho, Montana, Wyoming, Colorado, Utah, Nevada, Arizona, New Mexico.

SEC. 4. *Activities.* (a) The Renegotiation Act of 1951 is applicable to contracts with the military departments and certain other agencies of the Government named in the act, and to related subcontracts. The act is also applicable to contracts with such other agencies of the Government exercising functions having a direct and immediate connection with the national defense as the President shall designate. Various additional agencies have been designated by the President in Executive Orders 10260, 10294 and 10299 of June 27, September 28 and October 31, 1951 (16 F. R. 6271, 9927 and 11135).

(b) Every contractor is required to file an annual report with respect to its receipts or accruals from renegotiable prime contracts and subcontracts during its fiscal year. A contractor whose renegotiable sales are less than the minimum amount prescribed in the Renegotiation Act of 1951 is required so to state and need not submit the detailed financial and other information otherwise required. Additional pertinent information is accumulated by the Board in the course of meetings with the contractor whose renegotiable sales exceed the statutory minium. If the Board and the contractor are unable to agree upon the amount of excessive profits, if any, to be refunded by the contractor for such fiscal year, the Board issues and enters an order determining such amount. The order is reviewable in The Tax Court of the United States.

(c) Cases are normally assigned in the first instance to one of the regional boards, to which the Board has delegated authority to make determinations of excessive profits in cases involving a net profit on renegotiable business not in excess of $400,000 for a fiscal year and to make recommended determinations to the Board of excessive profits in cases exceeding that amount, for final determination by the Board.

(d) The administration of renegotiation agreements and orders under the Renegotiation Act of 1951 is carried out by the heads of the agencies whose contracts are subject to such act; the administration of renegotiation agreements and orders under the Renegotiation Act of 1948 has been delegated to the Secretary of Defense, who in turn has redelegated such function to the Secretaries of the Army, the Navy and the Air Force; the administration of renegotiation agreements and orders under the Renegotiation Act has been delegated to the heads of the agencies whose contracts were subject to that act.

(e) The Board maintains liaison with the various agencies whose contracts are subject to the Renegotiation Act of 1951, and with the Department of Justice, the Bureau of Internal Revenue, and other agencies whose jurisdictiton or activities relate to the functions of the Board. The Board also disseminates renegotiation results and information to Government procurement personnel for use in reprocurement, forward pricing and price redetermination proceedings, as a means of avoiding excessive profits to contractors and excessive costs to the Government in the execution of the national defense program.

SEC. 5. *Official copies.* Official copies of the statutes referred to herein may be obtained from the Superintendent of Documents, U. S. Government Printing Office, Washington 25, D. C. Official copies of Executive Orders cited herein are set out in the FEDERAL REGISTER, which may also be procured from the Superintendent of Documents.

SEC. 6. *Copies of the Renegotiation Board Regulations.* The Renegotiation Board Regulations and current supplements thereto may be obtained from the Superintendent of Documents, U. S. Government Printing Office, Washington 25, D. C.

Dated: February 8, 1952.

JOHN T. KOEHLER,
Chairman,
The Renegotiation Board.

[F. R. Doc. 52-1774; Filed, Feb. 12, 1952; 8:48 a. m.]

REGIONAL BOARDS

DELEGATION OF AUTHORITY WITH RESPECT TO CERTAIN FUNCTIONS, POWERS AND DUTIES

Pursuant to section 107 (d) and (f) of the Renegotiation Act of 1951:

1. There are hereby created four Regional Boards which shall consist of five members each, and which are hereby designated as the Washington Regional Board, the New York Regional Board, the Chicago Regional Board, and the Los Angeles Regional Board, respectively.

2. For the purpose of this delegation:

(a) The term "Board" means The Renegotiation Board.

(b) The term "Regional Board" means a Regional Board created by the Board by section 1 of this delegation.

3. The Board hereby delegates to each Regional Board the following functions, powers, and duties:

(a) To conduct renegotiation under the Renegotiation Act of 1948 and the Renegotiation Act of 1951 with the contractor or subcontractor in any case which is assigned by the Board to such Regional Board.

(b) To make a determination of excessive profits with respect to any such contractor or subcontractor.

(c) To issue clearances and enter into refund agreements embodying determinations of excessive profits made by such Regional Board in cases designated by the Board as Class A cases, *Provided,* That the Board in each case has advised the Regional Board that the Board is in accord with such determination.

(d) Subject to such review as may be prescribed by the Board by regulations or otherwise, to issue clearances, enter into refund agreements, or issue unilateral orders embodying determinations of excessive profits made by such Regional Board in cases designated by the Board as Class B cases.

4. No function, power or duty herein delegated shall be redelegated.

5. This delegation is subject to revocation or modification in whole or in part at any time.

Dated: February 8, 1952.

JOHN T. KOEHLER,
Chairman,
The Renegotiation Board.

[F. R. Doc. 52-1777; Filed, Feb. 12, 1952; 8:49 a. m.]

FINANCIAL STATEMENTS

EXTENSION OF TIME FOR FILING

All persons having fiscal years ended on or prior to December 31, 1951, are hereby granted an extension of time to May 1, 1952, for filing the financial state-

ment required of such persons by section 105 (e) (1) of the Renegotiation Act of 1951.

Dated: February 8, 1952.

JOHN T. KOEHLER,
Chairman,
The Renegotiation Board.

[F. R. Doc. 52-1776; Filed, Feb. 12, 1952; 8:50 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-127, 59-3, 59-12, 70-1806]

ELECTRIC BOND AND SHARE CO. ET AL.

ORDER DENYING APPLICATION

FEBRUARY 6, 1952.

In the matter of Electric Bond and Share Company, File Nos. 54-127, 70-1806; and Electric Bond and Share Company et al.; File Nos. 59-3 and 59-12.

Electric Bond and Share Company ("Bond and Share"), a registered holding company, having filed an application and an accompanying plan of reorganization pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 ("the act");

Bond and Share having acquired 2,870,653 shares of the common stock of United Gas Corporation ("United") in connection with the liquidation and dissolution of its former subsidiary, Electric Power & Light Corporation, and subsequently an additional 295,128 shares of such stock by purchase, and Bond and Share having committed itself to dispose of such 3,165,781 shares of United common stock, provided, however, that it might institute proceedings before the Commission for relief from such commitment and for a determination of its right to hold such stock under the act;

Bond and Share having in connection with the application above referred to requested relief from the foregoing commitment and in connection therewith having also requested an exemption under sections 3 (a) (3) and 3 (a) (5) of the act;

Hearings having been held after appropriate notice, at which hearings all interested persons were afforded an opportunity to be heard, briefs having been filed and the Commission having heard oral argument;

The Commission being duly advised and having this day issued its findings and opinion herein, on the basis of said findings and opinion,

It is ordered, That Bond and Share's aforesaid request for relief from its commitment to dispose of its holdings of United common stock and the aforesaid request for an exemption under sections 3 (a) (3) and 3 (a) (5) of the act be and they hereby are denied, and that Bond and Share be and it hereby is directed to proceed to take appropriate steps for the expeditious disposition of its aforesaid holdings of the common stock of United.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 52-1753; Filed, Feb. 12, 1952; 8:46 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Ceiling Price Regulation 32, Supplementary Regulation 2, Section 3, Special Order 3]

PENTWATER FIELD, OCEANA COUNTY, MICHIGAN

CEILING PRICES ADJUSTED ON AN IN-LINE BASIS

Statement of considerations. This special order adjusts the ceiling price for the sale of crude petroleum produced from the Pentwater Field, Oceana County, Michigan.

The Roosevelt Oil and Refining Corporation desires to eliminate the differentials it has heretofore imposed upon the crude petroleum produced from the Pentwater Field, Oceana County, Michigan. During the base period there was a lack of competitive factors and as a result the crude petroleum produced from the Pentwater Field, Oceana County, Michigan, was sold at a lower price than is being and has been paid for crude petroleum of comparable quality produced in this same general area.

From information available to this Office it appears that the requested adjusted price will be in line with the ceiling price of comparable crude petroleum produced in this same area. These prices are: $2.71 per barrel for Dundee Type Crude and $2.80 per barrel for Traverse Type Crude.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to the provisions of section 3 of Supplementary Regulation 2 to Ceiling Price Regulation 32, *It is ordered:*

1. That the ceiling prices at the lease receiving tank for crude petroleum produced from the Pentwater Field, Oceana County, Michigan, shall be: $2.71 per barrel for Dundee Type crude and $2.80 per barrel for Traverse Type crude.

2. All provisions of Ceiling Price Regulation 32, except as inconsistent with the provisions of this order, shall remain in full force and effect as to the commodities covered by this order.

3. This order may be amended, modified or revoked by the Director of Price Stabilization at any time.

Effective date. This Special Order shall become effective on February 8, 1952.

MICHAEL V. DISALLE,
Director of Price Stabilization.

FEBRUARY 7, 1952.

[F. R. Doc. 52-1729; Filed, Feb. 7, 1952; 3:41 p. m.]

[Ceiling Price Regulation 83, Section 2, Special Order 14]

CHRYSLER CORPORATION

BASIC PRICES AND CHARGES FOR NEW PASSENGER AUTOMOBILES

Statement of considerations. Special Order 5 established a schedule of prices and charges pursuant to section 2 of Ceiling Price Regulation 83 for sellers of new passenger automobiles and factory installed extra equipment manufactured by the Chrysler Corporation. Subsequent to the issuance of Special Order 5 the manufacturer's prices to dealers were increased following an increase in wholesale ceiling prices pursuant to Ceiling Price Regulation 1, Revision 1, Supplementary Regulation 1. This order is accordingly issued to establish sellers' prices and charges which will reflect increased costs to dealers and markups thereon, and is applicable to 1952 models of the passenger automobiles manufactured by Chrysler Corporation.

For the purpose of clarifying the meaning of "standard equipment" which is included in the basic price of the automobile, an appendix has been added to this order showing the items of equipment which are standard on automobiles manufactured by the Chrysler Corporation.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to section 2 of Ceiling Price Regulation 83, this Special Order is hereby issued.

1. The basic prices, as defined in Ceiling Price Regulation 83, section 2, which retail and wholesale sellers will use in determining the ceiling prices of 1952 model automobiles which were manufactured by the Chrysler Corporation, and which were delivered to such sellers at prices reflecting the adjustment provided for in Letter Order No. L-6, for the several body styles in each line or series of the various makes, are as follows:

PLYMOUTH PASSENGER AUTOMOBILES

Concord Series:	
2-Door Sedan	$1,611.73
3-Passenger Coupe	1,480.27
Suburban	1,988.93
Savoy	2,103.24
Cambridge Series:	
4-Door Sedan	1,674.61
Club Coupe	1,640.30
Cranbrook Series:	
4-Door Sedan	1,759.80
Club Coupe	1,731.24
Convertible Club Coupe	2,142.62
Belvedere	2,038.64

DODGE PASSENGER AUTOMOBILES

Wayfarer Series:	
2-Door Sedan	$1,873.25
3-Passenger Coupe	1,736.61
Meadowbrook Series:	
4-door Sedan	1,992.82
Coronet Series:	
4-Door Sedan	2,078.24
8-Passenger Sedan	2,822.98
Club Coupe	2,063.42
Convertible Coupe	2,485.63
Diplomat	2,398.22
Sierra	2,679.49

DE SOTO PASSENGER AUTOMOBILES

Deluxe Series:	
4-Door Sedan	$2,148.74
8-Passenger Sedan	2,895.56
Club Coupe	2,136.72
Carry All	2,369.65
Custom Series:	
4-Door Sedan	2,352.15
8-Passenger Sedan	3,099.13
Club Coupe	2,332.60
Convertible Coupe	2,761.46
Suburban	3,441.80
Station Wagon	2,939.80
Sportsman	2,663.75

CHRYSLER PASSENGER AUTOMOBILES

Windsor Series:	
6-Passenger Sedan	$2,300.91
8-Passenger Sedan	3,079.66
Club Coupe	2,279.29
Town and Country Wagon	2,949.84
Windsor Deluxe Series:	
6-Passenger Sedan	2,511.54
Convertible Coupe	2,957.85
Newport	2,843.99
Saratoga Series:	
6-Passenger Sedan	2,963.15
8-Passenger Sedan	3,846.15
Club Coupe	2,937.37
Town and Country Wagon	3,618.62
New Yorker Series:	
6-Passenger Sedan	3,253.93
Convertible Coupe	3,773.09
Newport	3,659.24
Imperial Series:	
6-Passenger Sedan	3,539.51
Newport	3,894.72
Club Coupe	3,527.37
Crown Imperial Series:	
8-Passenger Sedan	6,355.04
Limousine	6,468.78

2. The charges established below are for factory installed extra, special and optional equipment which wholesalers and retail sellers will use in determining the ceiling prices of automobiles which were manufactured by the Chrysler Corporation and which were delivered to such sellers at prices reflecting the adjustment provided for in Letter Order No. L-6. These charges are for all lines and body styles unless otherwise designated.

PLYMOUTH PASSENGER AUTOMOBILES

Airfoam seat cushion, front	$8.61
Airfoam seat cushion, rear	8.61
Airfoam seat cushion, front and rear	17.22
Arm rests, front door, pair	7.12
Assist straps and arm rests, rear seat, pairs (Suburban)	14.87
Battery, 120-ampere	4.58
Battery, 135-ampere	6.31
Bumper buffer guards, outer front and rear (3-passenger Coupe and 2-door)	12.60
Bumper buffer guards, outer rear only (Suburban, Savoy)	6.30
Cigar lighter	3.04
Carburetor, city traffic	4.02
Clutch, 10-inch	3.61
Directional signals	14.42
Electric clock	16.27
Gas tank locking cap	2.21
Generator, 50-ampere	13.21
Generator, 55-ampere	40.24
Glove box lock (Savoy and Cranbrook lines)	1.18
Heater, model 551 (includes provision for tax)	80.30
Heater, model 101 (includes provision for tax)	51.07
Heater, model 503 (includes provision for tax)	75.47
Leather trim (Cambridge 4-door sedan)	100.38
Leather trim (Cranbrook 4-door sedan)	96.63
Leather trim (Cranbrook Club Coupe)	96.63
Radio and antenna, 6-tube (includes provision for tax)	83.41
Radio and antenna, 8-tube (includes provision for tax)	103.49
Removable element oil filter (Concord)	8.82
Removable element oil filter (Cambridge and Cranbrook)	2.28
Solex tinted glass	20.00
Special paint	40.24
Sun visor, extra (3-passenger and 2-door)	2.28
Shock absorbers, front and rear, 1⅜ inches	17.24
Seat cushion springs, front and rear, heavy duty	$2.28
Stone shields, rear fenders	5.32
Tires, set of 5, 6.70 x 15, 4-ply (Concord 2-door and 3-passenger coupe)	5.80
Tires, set of 5, 6.00 x 18, 6-ply, high clearance package (includes 18-inch wheels, 4.78 axle) (Suburban and Savoy)	113.04
Tires, set of 5, 6.40 x 15, 6-ply	35.61
Tires, set of 5, 6.70 x 15, 6-ply	37.14
Two-tone paint, standard colors	13.21
Taxicab package (includes 10-inch clutch, commercial duty chassis springs, heavy duty springs in seats and backs, battery heat shield 100-ampere battery)	17.24
Wheel covers, set of 4	14.36

DODGE PASSENGER AUTOMOBILES

Accessory group No. 1 (includes bumper buffer plates, front and rear; cigar lighter)	$18.91
Accessory group No. 2 (includes bumper buffer plates, front and rear; cigar lighter; electric clock; directional signals)	47.00
Accessory group No. 3 (includes bumper buffer plates, front and rear; cigar lighter; electric clock; directional signals; back-up lights)	60.51
Accessory group No. 4 (includes bumper buffer plates, front and rear; directional signals; back-up lights) (convertible coupe only)	41.27
Airfoam seat cushion, front (Wayfarer)	8.58
Airfoam seat cushion, rear (Wayfarer, Meadowbrook, Coronet Sierra, Diplomat and Convertible Coupe)	8.58
Air cleaner silencer (Sierra)	1.12
Battery, 120-ampere	4.56
Battery, 135-ampere	6.28
Battery heat shield	2.55
Booster brakes (8-passenger)	34.38
Bumper buffer plates, front	9.04
Bumper buffer plates, rear	7.60
Back-up light	5.13
Chassis springs, heavy-duty	6.86
Cigar lighter (all except Coronet Convertible)	3.03
Directional signals	14.37
Directional signals and back-up lights	24.63
DeLuxe oil filter (Sierra)	4.56
Electric clock (all except Coronet Convertible)	16.21
Front-door arm rests	7.09
Gyromatic transmission	95.61
Glove box light (all except Coronet Convertible)	2.27
Glove box lock (all except Coronet Convertible)	1.17
Gas tank locking cap	2.20
Generator, 55-ampere	40.12
Generator, 50-ampere	13.17
Horn blowing ring (Wayfarer)	3.07
Heater, model 501 (includes provision for tax)	80.05
Heater, model 101 (includes provision for tax)	50.91
Heater, model 503 (includes provision for tax)	75.23
Leather trim, special (Convertible Coupe)	57.33
Leather trim (Coronet, 4-door sedan)	99.79
Leather trim (Coronet, Club Coupe)	99.79
Leather trim (Coronet, 8-passenger sedan)	157.72
Luggage rack, roof	143.38
Oil filter, replaceable cartridge	3.42
Paint, special metallic body color	15.48
Paint, special body color	40.12
Paint, two-tone	13.17
Plastic steering wheel	8.58
Rear fender stone shields	$9.16
Radio and antenna, model 807 (includes provision for tax)	103.16
Radio and antenna, model 607 (includes provision for tax)	83.15
Regulator type door windows (roadster)	40.12
Stainless steel wheel covers and hub caps, set of 4	13.17
Stainless steel wheel rings, set of 5	12.01
Sun visor, auxiliary	2.27
Shock absorbers, heavy-duty, 1⅜-inch	17.06
Seat cushion springs, front and rear, heavy-duty	2.27
Solex tinted glass	20.00
Tires, set of 5, 6.70 x 15, 6-ply	34.69
Tires, set of 5, 7.10 x 15, 6-ply	34.98
Tires, set of 5, 7.60 x 15, 6-ply	42.43
Tires, set of 5, 8.20 x 15, 6-ply	48.73
Tubes, Lifeguard, set of 4, 6.70 x 15	65.36
Tubes, Lifeguard, set of 4, 7.10 x 15	76.38
Tubes, Lifeguard, set of 4, 7.60 x 15	81.20
Tubes, Lifeguard, set of 4, 8.20 x 15	88.08
Window inserts, plastic with vent wings (roadster)	14.31

DE SOTO PASSENGER AUTOMOBILES

Arm rests, right front door (De Luxe)	$3.56
Arm rest, rear center	28.75
Battery heat shield	2.56
Battery, 135-ampere	6.31
Booster brakes	34.49
Crankcase ventilator air cleaner	1.14
Chrome tail pipe extension	2.11
Cushion springs, front and rear, heavy-duty	2.28
Clutch, 11-inch	6.88
Directional signal lights	14.45
Electric clock	16.27
Foamed latex seat cushion, rear	8.61
Fluid drive with tiptoe shift transmission	122.97
Fuel tank locking cap	2.21
Fuel tank stone shield package	2.28
Fluid torque drive	154.91
Generator, 50-ampere	13.21
Generator, 55-ampere	40.25
Heater, model 501 (includes provision for tax)	80.30
Heater, model 503 (includes provision for tax)	75.45
Heater, model 101 (includes provision for tax)	51.07
Hood top ornament with plastic insert lighted	3.44
Hydra-guide steering	185.00
Jiffy Jet windshield washer	10.34
Luggage rack, roof	143.82
License plate frames	2.86
Leather trim (DeLuxe 4-door and Club Coupe)	132.31
Leather trim (custom 4-door and Club Coupe)	123.11
Leather trim (custom 8-passenger Sedan)	150.70
Plastic steering wheel	11.50
Paint, special color	40.25
Paint, two-tone	13.21
Radio and antenna, 8-tube (includes provision for tax)	103.48
Radio and antenna 6-tube (includes provision for tax)	83.41
Shock absorbers, 1⅜-inch; heavy-duty	17.24
Springs, heavy-duty	6.32
Solex glass	20.00
Tires, set of 5, 7.60 x 15, 6-ply	42.56
Tires, set of 5, 8.20 x 15, 6-ply	48.89
Tubes, Lifeguard, set of 4, 7.60 x 15	81.45
Tubes, Lifeguard, set of 4, 8.20 x 15	88.34
Wheel covers, stainless steel, set of 4	5.74

CHRYSLER PASSENGER AUTOMOBILES

Arm rest, center, front seat, sedans (Town and Country Wagon)	$31.54
Arm rest, center, rear seat, sedans	31.54
Arm rest, center, front and rear seat, sedans (Windsor only)	63.08

CHRYSLER PASSENGER AUTOMOBILES—Con.

Arm rest, center, front and rear seat, sedans (Windsor DeLuxe and New Yorker)	$31.54
Bumper buffer guards, front	8.58
Brown and tan leather cloth and Bedford cord (code 70) (Town and Country Wagon)	17.18
Disk brakes	292.52
Electric clock (Windsor)	16.21
Fluidmatic transmission (Windsor)	122.86
Fluid torque drive	154.91
Gas tank locking cap	2.20
Generator and voltage regulator (Chrysler 6)	44.72
Generator and voltage regulator (Chrysler 8)	40.12
Heater, model 501 (includes provision for tax)	80.07
Heater, model 101 (includes provision for tax)	50.91
Heater, model 503 (includes provision for tax)	75.23
Heater with rear compartment package (Limousine) (includes provision for tax)	125.96
Highlander plaid trim (code 18)	74.55
Hydra-guide power steering	185.00
Leather trim (Convertible Coupe) (codes 55, 56, 57, 58)	32.10
Leather trim (codes 51, 52, 53, 54) (Windsor Club Coupe and Sedan)	122.75
Leather trim (codes 51, 52, 53, 54) (Windsor DeLuxe and New Yorker Club Coupes and Sedans)	114.70
Leather trim (codes 51, 52, 53, 54) (Windsor 8-passenger sedan)	150.25
Leather trim (codes 51, 52, 53, 54) (Windsor DeLuxe 8-passenger sedan)	137.65
Leather trim (Newport) (codes 59, 60, 61, 62, 63)	34.38
Leather and nylon cord trim (codes 65, 68, 71) (New Yorker Club Coupe and Sedans)	229.42
Leather and nylon cord trim (codes 65, 68, 71) (Imperial Club Coupe and Sedans)	131.92
Leather and nylon cord trim (Newport) (codes 64, 65, 66, 68, 71)	22.92
Luggage rack, removable	143.39
Paint, special	40.12
Paint, standard colors, two-tone	13.17
Radio and antenna, 8-tube (includes provision for tax)	103.18
Radio and antenna, 6-tube (includes provision for tax)	83.15
Spring package, heavy-duty	19.48
Solex glass	20.00
Seat, removable (Town and Country Wagon)	68.82
Tires, set of 5, 7.60 x 15, 6-ply	42.43
Tires, set of 5, 8.00 x 15, 6-ply	50.45
Tires, set of 5, 8.20 x 15, 6-ply	48.73
Window lifts, automatic (6-passenger sedan, Traveler, Town and Country)	108.96
Window-lifts, automatic (Club Coupe)	131.91
Window lifts, automatic (Convertible Coupe and Newport)	74.55

3. The prices and charges established by this special order do not include any provision for tax except where specifically indicated. Sellers covered by this order will apply such charges to their prices and charges in accordance with section 2 of Ceiling Price Regulation 83.

4. Appendix A to this order lists the items which are included as standard equipment on the 1952 model automobiles manufactured by the Chrysler Corporation.

5. All provisions of Ceiling Price Regulation 83 not inconsistent with this order, including the posting, invoicing, and record-keeping requirements, remain in effect as to sales covered by this order.

6. This order or any provision thereof may be revoked, suspended or amended by the Director of Price Stabilization at any time.

Effective date. This special order shall become effective February 11, 1952.

MICHAEL V. DISALLE,
Director of Price Stabilization.

FEBRUARY 11, 1952.

APPENDIX A—ITEMS OF STANDARD EQUIPMENT ON AUTOMOBILES MANUFACTURED BY THE CHRYSLER CORPORATION

PLYMOUTH PASSENGER AUTOMOBILES

Description	*Body styles on which included*
Air cleaner—oil bath	All.
Ash receiver—instrument panel	All.
Ash receiver—back of front seat	4-Door Sedans, Cranbrook only.
Ash receiver—rear side quarters	Cranbrook Coupes.
Arm rests—front doors	Savoy and Cranbrook.
Bumper—front and rear	All.
Bumper guards front (2)	All except 3-passenger and 2-door.
Bumper jack and wheel wrench	All.
Door holding checks—all doors	All.
Door cylinder lock—front doors	All.
Front sway eliminator	All except 3-passenger and 2-door.
Floor mat—front compartment—rubber	All except Convertible Coupe and Belvedere.
Floor mat—rear compartment—rubber	Concord body styles only.
Floor mat—rear compartment—wale rubber	Cambridge and Cranbrook except Convertible Coupe and Belvedere.
Floor carpet—front and rear	Convertible Coupe and Belvedere.
Floor cover—luggage compartment	All.
Glove box	All.
Glove box lock	Cranbrook and Savoy.
Horn—single	All Concords except Savoy.
Horns—dual	Cambridge, Cranbrook and Savoy.
Horn blowing ring	Cranbrook and Concord Savoy.
Mirror—inside rear view	All.
Oil filter—by-pass type	Cambridge and Cranbrook only.
Rear leaf springs with covers	Suburban and Savoy.
Rear leaf springs with inner liners	All except Suburban and Savoy.
Shock absorbers—1 inch	All.
Safety glass throughout	All except Convertible Coupe, rear window.
Sun visor—single inside	3-passenger and 2-door.
Sun visor—dual	All except 3-passenger and 2-door.
Tires—6.40 x 15-4-ply black—(5)	3-passenger and 2-door.
Tires—6.70 x 15—4-ply black—(5)	All except 3-passenger and 2-door.
Tail lamps—dual	All.
Windshield wipers—dual electric	All.

DODGE PASSENGER AUTOMOBILES

Air cleaner—oil bath	All.
Ash receiver, front compartment instrument panel.	All.
Ash receiver—rear compartment	All except Wayfarer.
Arm rests—front doors	All except Wayfarer.
Arm rests—rear	All except Wayfarer and Convertible.
Airfoam seat cushion—front	All except Wayfarer.
Airfoam seat cushion—rear	Coronet except Convertible, Diplomat, and Sierra.
Automatic choke	All.
Automatic dome light	All except Wayfarer and Convertible.
Bumpers—front and rear	All.
Bumper jack and wheel wrench	All.
Coat hooks—pair—rear compartment	Coronet Sedans and Club Coupe only.
Cowl vent—screened	All.
Crankcase floating oil intake filter	All.
Door cylinder locks—dual—front door—outside	All except Wayfarer.
Fluid coupling	All.
Floor mat—front—rubber	All.
Floor mat—rear compartment carpet	All except 3-passenger Coupe and Sierra.
Glove box with lock	Coronet only.
Glove box with latch	All except Coronet.
Grab handles—pair—rear compartment	Coronet Sedans only.
Gas tank fuel filter	All.
Horns—dual	All except Wayfarer.
Horn—one	Wayfarer.
Horn blowing ring	All except Wayfarer.
Hub caps (4)	All.
Ignition key operated solenoid starter	All.
Map light	Diplomat and Convertible only.
Mirror—inside, rear view	All.
Oil filter—engine replaceable cartridge	All except Wayfarer.
Remote control gear shift on outside of steering column.	All.
Rear spring inner liners	Wayfarer only.
Resistor type spark plugs	All.
Shock absorbers 1-inch	All.

DODGE PASSENGER AUTOMOBILES—Continued

Description	*Body styles on which included*
Sway eliminator—front	All.
Spring covers—rear	All except Wayfarer.
Safety glass	All except Convertible rear window.
Sun visors—dual	All except Wayfarer.
Splash-proof ignition system	All.
Tires—low-pressure (5) 6.70 x 15 4-ply black	Wayfarer.
Tires—low-pressure (5) 7.10 x 15 4-ply black	All except Wayfarer, Sierra, and 8-passenger.
Tires—low-pressure (5) 7.60 x 15 4-ply black	Sierra only.
Tires—low-pressure (5) 8.20 x 15 4-ply black	8-passenger only.
Tail lamps—dual	All.
Wheels—15 x 4.50 (5) safety rim	All.
Windshield wipers—dual electric	All.
Clock—electric	Coronet Convertible.
Cigar lighter	Coronet Convertible.

DE SOTO PASSENGER AUTOMOBILES

Ash receiver on instrument panel	All.
Ash receiver in back of front seat	All sedans.
Ash receiver in back of front seat (2)	Suburban.
Ash receiver in rear quarter (2)	De Luxe Club Coupe and Custom 4-door sedan, Club Coupe and Sportsman.
Ash receiver in rear arm rest (2)	8-passenger sedan.
Back-up lights—dual	All.
Bumpers—front and rear	All.
Bumper guards—front and rear	All.
Bumper jack, wheel wrench, wheel block, pliers (1), screw driver (1).	All.
Cigar lighter	All.
Carpet in front compartment	Custom except Station Wagon.
Carpet in rear compartment	All except Station Wagon.
Coat hooks (2)	Sedans and Club Coupes.
Dual horns	All.
Dual tail lamps	All.
Directional signals	Custom.
Door holding checks on all doors	All.
Dual electric windshield wipers—2-speed	All.
Door cylinder locks—front door	All.
Fluid drive and tip-toe shift transmission	Custom.
Front door arm rest (1)	DeLuxe.
Front door arm rest (2)	Custom.
Foamed latex seat cushion—front	All.
Foamed latex seat cushion—rear	All Custom except Suburban and Station Wagon.
Glove box	All.
Glove box lock	All.
Grab handles (2)	All 8-passenger Sedans and Suburbans, Custom 4-door Sedans.
Horn blowing ring	All.
Inside sun visors—dual	All.
Luggage compartment floor mat	All except Station Wagon.
Oil bath air cleaner	All.
Outside rear view mirror	Sedan Convertible Coupe, Sportsman and Suburban.
Rear fender stone shields	Custom.
Rubber mat in front compartment	DeLuxe and Station Wagon.
Rubber mat in rear compartment	Station Wagon.
Rear compartment side arm rests	4-door Sedans.
Rear compartment foot rest	Custom 8-passenger Sedan.
Special plastic steering wheel	Custom Convertible Coupe and Sportsman.
Shroud enclosed steering column	All.
Shock absorbers—oriflow type—1-inch	All.
Solenoid starting motor	All.
Spring covers	All.
Stainless steel wheel covers	Custom.
Safety glass throughout except rear window of Convertible Coupe which is plastic.	All.
Tires 7.60 x 15—4-ply (5)	All except 8-passenger Sedan and Suburban.
Tires 8.20 x 15—4-ply (5)	8-passenger Sedan and Suburban.

CHRYSLER 6-CYLINDER PASSENGER AUTOMOBILES

Air cleaner—oil bath	All.
Arm rests—all doors	All except rear of Town and Country Wagon.
Arm rest—folding center rear	Windsor DeLuxe 4-door.
Ash receiver—front	All.
Ash receiver—rear (1)	All Sedans.
Ash receiver—rear (2)	All Coupes and 8-passenger.
Airfoam seat cushion front and rear	All.
Automatic entrance light	All.
Bumper—front and rear	All.
Bumper guards—2 front and 2 rear	All.
Bumper jack, wheel wrench, pliers, 2 screw drivers, wheel block.	All.
Cigar lighter (1)	All except 4-door Sedan and Town and Country Wagon.

CHRYSLER 6-CYLINDER PASSENGER AUTOMOBILES—Continued

Description	*Body styles on which included*
Cigar lighter (2)	4-door Sedan and Town and Country Wagon.
Coat hooks	4-door, Club Coupe and 8-passenger.
Cowl vent—screened	All.
Crankcase floating oil intake filter	All.
Door cylinder locks—front doors	All.
Door holding checks—all doors	All.
Dual tail lights	All.
Dual parking lights	All.
Electric clock	Windsor DeLuxe only.
Floor cover—front compartment—rubber	Windsor only.
Floor cover—front compartment—carpet	Windsor DeLuxe only.
Floor cover—rear compartment—carpet	All.
Floor cover—luggage compartment—jute	All except Town and Country Wagon, Convertible and Newport Coupe.
Floor cover—luggage compartment—rubber	Convertible and Newport Coupe only.
Glove box with lock	All.
Grab handles—back of front seat	4-door and Town and Country Wagon.
Grab handles—2 on rear body hinge pillar	8-passenger sedan.
Horns—dual	All.
Horn blowing ring	All.
Lights—back-up	All.
Lights—directional signal—dual	All.
Light—glove box	All.
Light—luggage compartment	All.
Mirror—inside rear view	All.
Oil filter—full flow type	All.
Outside rear view mirror—(2)	Convertible Coupe and Newport.
Plastic steering wheel	All.
Resistor type spark plugs	All.
Sun visor—inside dual	All.
Shock absorbers—1-inch	All.
Spring covers—rear	All.
Safety glass throughout	All.
Safety crash pad	All.
Shroud enclosed steering column	All.
Splash proof ignition system	All.
Tires—7.60 x 15 4-ply black (5)	All except 8-passenger.
Tires—8.20 x 15 4-ply black (5)	8-passenger only.
Transmission—fluidmatic drive	Windsor DeLuxe only.
Undercoating	All.
Vacu-ease brake	8-passenger and Town and Country Wagon only.
Wheel covers—stainless steel (4)	All.
Windshield wipers—dual electric	All.
Wheel (5) 15 x 5.50 with safety rims	All.

CHRYSLER SARATOGA, CHRYSLER NEW YORKER, CHRYSLER IMPERIAL, PASSENGER AUTOMOBILES

Automatic entrance lights	All.
Arm rests on all doors—except Saratoga Town and Country Wagon.	All.
Arm rests—folding center rear—4-door sedan	Saratoga, Imperial.
Arm rests—folding center front—4-door sedan	New Yorker, Imperial.
Ash receiver in instrument panel (1)	All.
Ash receivers in back of front seat (1)	4-door New Yorker, Saratoga Sedans and Town and Country Wagon.
Ash receivers in rear door—4-door Sedan (2)	Imperial.
Ash receivers in rear quarter panels	All Coupes.
Arm rests on rear quarter panels (2)	Newport, and Club Coupes.
Airfoam cushions—front and rear	All.
Airfoam seat backs	Imperial.
Bumpers—front and rear	All.
Bumper guards—front and rear	All.
Booster brakes	All.
Bumper jack, wheel wrench, 2 screw drivers, pliers, wheel block.	All.
Cigar lighter—in instrument panel (1)	All.
Cigar lighter—in rear of 4-door Sedans (1)	Saratoga, New Yorker.
Cigar lighter—in rear of 4-door Sedans (2)	Imperial.
Cigar lighter—in rear of Town and Country Wagon (1).	Saratoga.
Carpet in luggage compartment	All Imperials and New Yorker Newports.
Coat hooks (2)	4-door Sedan, 8-passenger Sedan, Club Coupe.
Cowl vent screened	All.
Dual parking lights	All.
Dual tail lights	All.
Directional signals	All.
Dual back-up lights	All.
Door holding checks—all doors	All.
Door cylinder locks—all front doors	All.
Electric clock	All.
Electric windshield wiper—2-speed	All.
Electric window lifts—all doors	Imperial.
Fluid-matic transmission	All.

CHRYSLER SARATOGA, CHRYSLER NEW YORKER, CHRYSLER IMPERIAL, PASSENGER AUTOMOBILES—Con.

Description	*Body styles on which included*
Full flow oil filter	All.
Floor carpet in front and rear compartment	All, except Town and Country Wagon.
Glove box lights	All.
Glove box with lock	All.
Grab handles—back of front seat	4-door Sedan, Town and Country Wagon.
Horn-blowing ring	All.
Inter-leaf springs—rear	All.
Inside sun visor (2)	All.
Luggage-compartment light	All.
Oil-bath air cleaner	All.
Outside rear-view mirror	All Newports and Convertible Coupes.
Plastic steering wheel	All.
Printed jute in luggage compartment	Saratoga Sedans and Club Coupes and New Yorker 4-Door Sedan.
Rubber floor mat in front and rear compartment.	Town and Country Wagon.
Robe cord	Imperial 4-Door Sedan.
Resistor spark plugs	All.
Shroud enclosed steering column	All.
Shock absorbers—oriflow—1-inch	All.
Stainless-steel wheel covers (4)	All.
Safety glass throughout	All.
Splash-proof ignition system	All.
Safety crash pad	All.
Tires, 8.00 x 15, 4-ply (5)	All Saratogas except 8-Passenger Sedan.
Tires, 8.20 x 15, 4-ply (5)	All Imperials, all New Yorkers, Saratoga 8-Passenger Sedan.
Undercoating	All.
Wheels, 5, 15 x 5.50, with safety rims	Saratoga.
Wheels, 5, 15 x 6.00, with safety rims	New Yorker, Imperial.

CHRYSLER CROWN IMPERIAL PASSENGER AUTOMOBILES

Automatic window lifts (electric), all doors	All.
Automatic window lifts (electric), partition glass.	Limousine.
Airfoam cushions and seat backs	All.
Automobile robes (2) with storage bags	Limousine.
Bumpers—front and rear	All.
Bumper guards—front and rear	All.
Bumper jack, wheel wrench, pliers, 2 screw drivers, wheel block.	All.
Cigar lighters—1 in front, 2 in rear	All.
Carpet in front compartment	8 Passenger Sedan.
Carpet in rear compartment	All.
Carpet in luggage compartment	All.
Cowl ventilator—screened	All.
Crankcase floating oil intake filter	All.
Dual parking lamps	All.
Dual tail lamps	All.
Directional signals	All.
Disc brakes	All.
Door holding checks—all doors	All.
Door cylinder locks—front doors	Sedan.
Door cylinder locks—front and rear doors	Limousine.
Dual back up lights	All.
Electric clock (2)	All.
Fluid-matic drive transmission	All.
Fluid torque drive	All.
Full flow oil filter	All.
Front and rear seat folding center arm rests	8 Passenger Sedan.
Grab handles	All.
Glove box with lock	All.
Glove box—rear (2)	All.
Horn blowing ring	All.
Hydraguide power steering	All.
Heater	All.
Inner leaf springs	All.
Inside sun visors (2)	All.
Oil bath air cleaner	All.
Outside rear view mirrors (2)	All.
Plastic steering wheel—18-inch	All.
Radio and antenna	All.
Rear seat folding center arm rest	Limousine.
Rubber pad in front compartment	Limousine.
Resistor type spark plugs	All.
Shock absorbers—1-inch	All.
Stainless steel wheel covers (4)	All.
Safety class throughout	All.
Splash proof ignition system	All.
Safety crash pad	All.
Tires, 8.90 x 15, 6-ply (5)	All.
Undercoating	All.
Wheels, 5, 15 x 6.50 with safety rims	All.

[F. R. Doc. 52-1844; Filed, Feb. 11, 1952; 4:35 p. m.]